

RESOLUTIONS 1984-85 SESSION

Resolution No.	Date of Meeting	Title of Resolution	Action	Remarks and/or Committee Referral
84/1	5/4/84	A Resolution Concerning Program Embellishments for the University's Mid-Year Convocation	Adopted	Approved by the President 8/20/84
84/2	5/4/84	A Resolution to Amend the <u>Faculty Code</u> with Respect to Eligibility for Sabbatical Leave	Adopted	Approved by the Board of Trustees 5/17/84
84/3	5/4/84	A Resolution to Amend the <u>Faculty Code</u> with Respect to Gradual Retirement (Substitute)	Adopted, as amended	Amending language to the <u>Faculty Code</u> subject to Senate and Board consideration Under study by the President 8/20/84. (See Resolution 84/12). Under review by the President 4/30/85
84/4	5/4/84	A Resolution to Amend Article X of the <u>Faculty Code</u>	Adopted, as amended	Under review by the President 4/30/85
84/5	5/4/84	A Resolution to Amend the Procedures for Implementation of Article X of the <u>Faculty Code</u> , Paragraph E	Postponed to 9/21/84; postponed to 11/9/84; postponed to 12/14/84; adopted, as amended, 12/14/84	<i>Rejected by President 10/9/85 in part</i> <i>Approved, as amended, by the Bd 3/20/86 -</i> Under review by the President 4/30/85 <i>Rejected by President 10/9/85 in part</i> <i>Suggests substitute language in particular sections; approved as amended, by the Board 3/20/86</i>
84/6	5/4/84	A Resolution to Amend the Procedures for Implementation of the <u>Faculty Code</u> , Paragraph F, Dismissal of a Faculty Member	Postponed to 9/21/84; postponed to 11/9/84; postponed to 12/14/84; adopted, 12/14/84	Approved by the President 4/30/85 <i>approved by the Board 4/85.</i>
84/7	5/4/84	A Resolution of Appreciation (for Harold F. Bright, V.P. for Academic Affairs and Provost)	Adopted by acclamation	Approved by the President 8/20/84
84/8	9/21/84	A Resolution to Endorse Proposed Changes in the Retirement Benefits	Adopted	Approved by the President 4/30/85

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RESOLUTIONS 1984-85 SESSION

Resolution No.	Date of Meeting	Title of Resolution	Action	Remarks and/or Committee Referral
84/9	10/12/84	A Resolution to Establish a Special Committee to Conduct a Self-Study	Adopted, as amended	Approved by the President 10/24/84
84/10	11/9/84	A Resolution to Establish an Annual Honors Convocation	Postponed to 12/14/84; adopted, as amended	Approved by the President 4/22/85
84/11	11/9/84	A Resolution to Create a University Committee on Public Ceremonies	Postponed to 12/14/84; adopted 12/14/84	Approved by the President 4/22/85
84/12	12/14/84	A Resolution to Amend the <u>Faculty Code</u> with Respect to Gradual Retirement	Adopted, as amended	Under review by the President 4/30/85 <i>approved by Bd 5/85</i>
84/13	12/14/84	A Resolution Recommending Changes in the Academic Calendar	Postponed to 1/18/85; adopted, as amended, 1/18/85	Approved by the President 4/22/85
84/14	2/8/85 <i>1/17/86</i>	A Resolution to Amend the University Policy on Academic Dishonesty	Postponed to 3/8/85 and to 4/12/85 for final action; deferred to 5/3/85; deferred to Spring 1986	<i>See minute Book 1985-86 for action on this Resolution</i> <i>Approved, as amended, by the Board 3/20/86</i> <i>adopted, as amended, January 17, 1986 (85-86 Session - See Minute Book 85-86)</i>
84/15	3/8/85	A Resolution in Support of the Development of Stronger Programs in Women's and Men's Intercollegiate Athletics	Postponed to 4/12/85; Defeated 4/12/85	
84/16	3/8/85	A Resolution to Amend the <u>Faculty Code</u> with Respect to Appointments	Adopted, as amended	Under review by the President 5/17/85 <i>accepted by President</i> <i>Bd approved 5/85.</i>

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RESOLUTIONS 1984-85 SESSION

Resolution No.	Date of Meeting	Title of Resolution	Action	Remarks and/or Committee Referral
84/17	4/12/85	A Resolution Pertaining to Tenure-Accruing and Non-Tenure-Accruing Appointments	Adopted, as amended	Approved by the President 5/17/85; date of implementation to be determined <i>Becomes effective - Jan. 1986</i>
84/18	4/12/85 5/3/85	A Resolution to Designate an Historic Presidents' House on Campus Substitute Resolution introduced	Deferred to 5/3/85 S.R. Adopted	Approved by the President 5/17/85; date of implementation to be determined

A RESOLUTION CONCERNING PROGRAM EMBELLISHMENTS
FOR THE UNIVERSITY'S MID-YEAR CONVOCATION (84/1)

WHEREAS, Spring Commencement amenities have contributed importantly to an appropriate environment for the carrying out of graduation exercises, demonstrating the University's desire to make graduation a memorable experience for students and their families and guests; and

WHEREAS, The mid-year Convocation suffers the comparison of a limited program format and carries the additional burden of holiday timing, with all the inconveniences attendant thereto for the various participants involved;
THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

That, beginning in 1985, the mid-year Convocation be scheduled on the Sunday immediately preceding the officially recognized George Washington birthday and a presidential reception and other appropriate amenities be additionally scheduled on the Saturday before.

February 15, 1984
Public Ceremonies Committee

Adopted 5/4/84

A RESOLUTION TO AMEND THE FACULTY CODE WITH RESPECT
TO ELIGIBILITY FOR SABBATICAL LEAVE (84/2)

WHEREAS, opportunity for scholarly self-development is accorded to regular active status tenured faculty through the granting of sabbatical leave, and

WHEREAS, the University community would benefit through the awarding of sabbatical leave to non-tenure-accruing regular active status faculty, THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

That Section VI-B of the Faculty Code be amended to read:

"When circumstances permit, the Board of Trustees shall grant sabbatical leave to a member of the faculty ~~with-tenure~~ who has served six or more continuous years in a college or university in regular active status,"

BE IT FURTHER RESOLVED, That this change shall be effective beginning the academic year 1985-1986.

Committee on Appointment, Salary and Promotion Policies
(including Fringe Benefits)

April 18, 1984

Adopted 5/4/84 .

(SUBSTITUTE RESOLUTION)

A RESOLUTION TO AMEND THE FACULTY CODE WITH RESPECT TO GRADUAL RETIREMENT (84/3)

WHEREAS, individual full-time active status faculty members frequently request reduction of their teaching loads in the years leading up to retirement, and

WHEREAS, such reductions are currently being granted on an ad hoc basis with the approval of the appropriate administrative officers, and

WHEREAS, replacing the present ad hoc approach with a systematic program available to all full-time active status faculty would benefit both the University and the faculty; THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

That the appropriate administrative officers, in consultation with representatives of the Faculty Senate, establish a gradual retirement policy for full-time active status faculty members; and

That details of the policy established be fully set forth in the Faculty Handbook; and prepared, subject to Faculty Senate and Board of Trustees consideration, for addition

That appropriate language be ~~added~~ to Section VII of the Faculty Code to reflect the availability of the gradual retirement option.

Executive Committee of the Faculty Senate
April 20, 1984

Adopted, as amended, 5/4/84

A RESOLUTION TO AMEND THE FACULTY CODE WITH RESPECT TO GRADUAL RETIREMENT (84/3)

WHEREAS, individual full-time active status faculty members currently request reduction of their teaching loads in the years preceding retirement; and

WHEREAS, this is being accomplished on an ad hoc basis with the approval of the chairman and appropriate officers of the University; and

WHEREAS, this option should be made available to the entire full-time active status faculty; THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

That the following be inserted under Section VII of the Faculty Code:

- A. With the exception of the Medical School faculty, full-time active status faculty members with tenure who are 62 or over may elect a gradual retirement program effective at age 62 or later. This program has the following features:
 1. The program may extend to mandatory retirement age and entry into it shall constitute a commitment on the part of the faculty member to retire at its conclusion and on the part of the University to allow the faculty member to continue for the period at the reduced levels established.
 2. Faculty members who elect this program shall be permitted either to teach at a half-time level for the entire period or on some other reduced-level basis agreed to by the faculty member and the department chairman. The manner of effecting the reduction must be agreed to by the faculty member and the department chairman. The teaching load, once reduced, cannot be raised, except by mutual agreement, but the faculty member may elect to retire at any time.
 3. The faculty member's salary shall be prorated to his or her teaching load but he or she shall be eligible for percentage salary increments in the same way as full-time members. Retirement benefits (e.g. University contribution to TIAA/CREF) will continue to be based on the full-time equivalent of the faculty member's salary.
 4. While in this program, a faculty member's duties and privileges will be as specified in the Faculty Handbook.

Committee on Appointment, Salary and Promotion Policies
(including Fringe Benefits)

April 18, 1984

See Substitute

SPECIAL REPORT TO ACCOMPANY RESOLUTIONS 84/4, 84/5, 84/6, TO AMEND THE FACULTY CODE
AND PROCEDURES

1. The three resolutions which this Report accompanies are the product of an extensive review of faculty grievance procedures which the Committee on Professional Ethics and Academic Freedom began in 1980 at the request of the Executive Committee. The key to an understanding of the changes which the Committee proposes is the Report of the Special Committee of One to Propose Changes in Faculty Grievance Procedures, commissioned in 1982 by the Faculty Senate to aid this Committee and submitted in March, 1983. While this Committee has not accepted all of the recommendations which Professor Morgan (the Committee of One) proposed, we are deeply indebted to his expert diagnosis of the difficulties encountered in our present system of grievance procedures, and to the insightful analysis of alternative modifications which his Report provided.

2. The argument for the modifications proposed in the Grievance Procedures are briefly rehearsed in the "Whereas" clauses and will require amplification on the Senate floor. But to provide a "roadmap", the proposed changes may be summarized under the following headings:

A. CHANGES TO ARTICLE X (Resolution 84/4) (Cp. Faculty Code, p. 15)

In adding a second paragraph (B) with 3 subparagraphs, the aim has been in B.1.a. to make clear that not every unresolved complaint over alleged ill-treatment of a faculty member will automatically launch a full-fledged grievance hearing, but only those (1) which involve the most important faculty rights and (2) which identify a specific invasion of rights and not merely strongly - felt disagreement over the merits of a faculty member's performance. On the other hand, in B.1.b. we extend the use of grievance procedures for use by faculty members in the interests of professional discipline and responsibility, as well as defending collegial rights.

In X.B.2., to keep the narrowing of grievable issues from foreclosing the possibility of resolving serious disputes over matters not involving specific rights, a process of binding arbitration is proposed for issues suitable to that less formal, more flexible, less time-consuming, and less expensive method of dispute - resolution.

B. CHANGES TO PARAGRAPH E OF PROCEDURES FOR IMPLEMENTATION (Cp. Procedures, p. 22)

After minor changes in Subparagraphs 1 and 2, substantive changes begin under Subparagraph 3. Under 3.a., Commencement of Proceedings, the routing of disputes either to arbitration or grievance is described in (4). A new 3.b. sets out the process of arbitration. Subparagraphs 3.c. and 3.d. lay out the new role of the Hearing Officer in supervising and controlling the hearing process and the new authority of the Hearing Committee to dismiss complaints and make taking of evidence less legalistic and more appropriate to an internal faculty-run proceeding.

C. CHANGES TO PARAGRAPH F OF PROCEDURES FOR IMPLEMENTATION

These changes are merely for consistency. If the earlier changes are made renaming the Grievance Committee in order to indicate its broadened role, parallel changes must be made in this Paragraph, which makes use of the same Committee when hearings are to be held to seek removal of a tenured faculty member.

W.B. Griffith

W.B. Griffith, Chairman
Professional Ethics and Academic Freedom
Committee

A RESOLUTION TO AMEND ARTICLE X OF THE FACULTY CODE (84/4)

WHEREAS, the Report of the Special Committee of One to Propose Changes in Faculty Grievance Procedures (hereinafter, the Morgan Report) found that existing grievance proceedings had become increasingly frequent, time-consuming, and expensive, and might be improved by modification or replacement; and

WHEREAS, the Morgan Report recommended (p. 10) that only violations of faculty rights under the Faculty Code should be grievable, and further recommended (pp. 18-22) that the Committee on Professional Ethics and Academic Freedom clarify the language of the Faculty Code to eliminate confusion over precisely what rights and causes of action are conferred by the Code; and

WHEREAS, to the Committee on Professional Ethics it appears advisable, in clarifying what violations of rights are grievable, to clarify also what violations of professional responsibilities may give rise to grievances; and further to provide an alternative process for resolving disputes over faculty members' status or activities which do not involve grievable violations of rights, THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

That, to clarify the language of the Faculty Code as to what violations of rights or responsibilities may give rise to grievances, and to provide an alternative method of dispute resolution by arbitration, there shall be substituted for the present Article X of the Faculty Code, entitled "Principles Governing Issues Relating to Termination...", a revised Article X entitled "Rights, Privileges and Resolution of Disputes Under this Code", attached hereto (pp. 1-2):

Committee on Professional Ethics and Academic Freedom of The Faculty Senate
April 20, 1984

Adopted, as amended, 5/4/84 (see p. 1)

FACULTY CODE

X. RIGHTS, PRIVILEGES AND RESOLUTION OF DISPUTES
UNDER THIS CODEA. Rights and Privileges Under This Code

The rights, privileges, and responsibilities of a faculty member conferred by this Code or by governing principles of law shall be carefully safeguarded in accordance with the highest accepted principles, practices, and procedures of the academic community. An alleged infringement of such rights or privileges or an alleged violation of such responsibilities ~~or a charge of unfair or discriminatory treatment based on race, color, religion, sex, national origin, or other considerations prohibited by law with regard to conditions of employment,~~ shall first be considered by the faculty member or members concerned, or by appropriate representatives of the faculty, in cooperation with the responsible administrative officers. If such consideration does not lead to an adjustment satisfactory to the parties involved, the procedures for the implementation of this Article shall be fully utilized.

B. Grievable or Arbitrable Issues1. Grievances

To maintain a grievance, the complaining party must allege either:

a) a violation of professional rights or privileges concerning ~~such matters as~~ academic freedom, tenure, promotion, reappointment, dismissal, or sabbatical or other leave, ~~such as~~ arising ~~might arise~~ from

1) violation of law;

2) unfair procedure or failure to follow established procedures;

3) University action motivated by prejudicial malice or retaliation for exercise of protected rights; or

4) University action without a reasoned basis in fact or University records;

or b) serious misconduct by a faculty member or significant neglect of a faculty member's responsibilities, in which case a complaint may be brought by regular active status faculty.

X. Principles Governing Issues Relating to Termination, Dismissal, Nonrenewal, Conditions of Employment, and Rights and Privileges Under This Code

The rights, privileges, and responsibilities of a faculty member conferred by this Code shall be carefully safeguarded in accordance with the highest accepted principles, practices, and procedures of the academic community. An alleged infringement of such rights or privileges or an alleged violation of such responsibilities, or a charge of unfair or discriminatory treatment based on race, color, religion, sex, national origin, or other considerations prohibited by law with regard to conditions of employment, shall first be considered by the faculty member or members concerned, or by appropriate representatives of the faculty, in cooperation with the responsible administrative officers. If such consideration does not lead to an adjustment satisfactory to the parties involved, the procedures for the implementation of this Article shall be fully utilized.

2. Arbitration

To maintain an arbitrable complaint over administrative actions or practices, the complaining party must allege a substantial injury affecting professional status or activities, such as teaching assignments, salary, assignment of office space or other support of professional activities. The complaint must have a basis in contract, or academic tradition, or local custom.

3. Jurisdiction in Mixed Complaints

If a grievance is properly alleged, the Dispute Resolution Committee shall have jurisdiction over all related administrative matters that would otherwise be resolved by arbitration.

A RESOLUTION TO AMEND THE PROCEDURES FOR IMPLEMENTATION OF ARTICLE X OF THE FACULTY CODE, PARAGRAPH E (84/5)

WHEREAS, the Morgan Report recommended modifying the Procedures for Implementation of Article X to reduce expense, waste of time and confusion over procedural complexities, by reducing the role of legal counsel to an advisory one or, alternatively, by adjoining a presiding hearing officer to the existing faculty hearing committee; and

WHEREAS, the Committee on Professional Ethics and Academic Freedom, after extensive consultation and review, concludes that the hearing-officer alternative is an approach more protective of faculty rights, and offers surer guarantees of reducing procedural error, confusion and waste of time while still protecting the faculty's role in self-governance; and

WHEREAS, supplementing the full grievance hearing-and-appeal procedure by an arbitration process, for settling substantive disputes which do not involve those specific invasions of professional rights which are grievable, also appears to promise speedier, less costly and more far-reaching dispute resolution; THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

(underlining indicates amendments)

(1) That the current procedures in Sections 1-4 of Paragraph E for dealing with grievances be revised and extended by substituting a new Paragraph E (see attached) to provide for:

1. a binding arbitration process (cf. 3.a. and 3.b. pp. 4-5)
2. an experienced Hearing Officer to preside and expanded Hearing Committee authority (a) to dismiss frivolous, non-specific, or repetitious complaints (3.c. & 3.d., pp. 5-8), and (b) to control the hearing itself (3.d., p.8); and
3. other improvements proposed in the Morgan Report, with respect to Preliminary Proceedings (2.b. & 2.c. p.3) and reports of findings and recommendations (3. d. pp. 8-9), and Appeals (4. a., b., & d. p. 10).

(2) That Section 5. "Disposition" be revised only to retitle the Hearing Committee as "Dispute Resolution Committee" in conformity with other changes, with the understanding that further revisions to this Section are under study and may be recommended separately at a later date.

Committee on Professional Ethics and Academic Freedom of the Faculty Senate
April 20, 1984

Postponed 5/4/84 to next regular Senate meeting (9/21/84)
Postponed 9/21/84 to the November 9, 1984, Senate meeting
Postponed 11/9/84 to the December 14, 1984, Senate meeting
Adopted, as amended, December 14, 1984

E. Procedures for Implementation of Article X of the Faculty Code

1. Grievance Committee

The Faculty Senate shall elect a Grievance Committee of fifteen tenured active status faculty members, no more than three of whom shall be members of the faculty of any one school or college (except that four may be members of the faculty of Columbian College) and none of whom may be serving as academic administrators. The members of the Committee shall serve three-year staggered terms, so that the terms of five of the members shall expire each year. The Faculty Senate shall designate the Chairman of the Committee from among the members of the Committee. Alternate temporary members may be appointed at any time by the Executive Committee to facilitate the grievance procedures.

2. Preliminary Proceedings

a) Before instituting any formal proceedings concerning an alleged violation of the Faculty Code, the aggrieved party or parties shall exhaust all reasonable efforts to achieve a resolution of the situation through informal consultation with the appropriate faculty members and administrative officers.

b) If informal consultation fails to resolve the matter, the aggrieved party shall refer the dispute to the Faculty Senate by means of a letter addressed to the Chairman of the Executive Committee. The Senate shall appoint a special mediation committee of three members, none of whom shall be members of the Grievance Committee; and this mediation committee shall conduct an informal investigation of the matter and attempt to effect a mutually satisfactory resolution.

c) The special committee shall submit a report to the Faculty Senate, with copies transmitted to the parties, when it has either achieved a mutually satisfactory resolution or concludes that further efforts at mediation would be futile. The report shall include, if appropriate, the committee's evaluation of, or recommendations concerning, any university, college, school, or departmental policies or practices involved in the dispute.

E. PROCEDURES FOR IMPLEMENTATION OF ARTICLE X OF THE FACULTY CODE

1. Grievance Dispute Resolution Committee

The faculty Senate shall elect a Grievance Dispute Resolution Committee of fifteen tenured active status faculty members, no more than three of whom shall be members of the faculty of any one school or college (except that four may be members of the faculty of Columbian College) and none of whom may be serving as academic administrators. The members of the Committee shall serve three-year staggered terms, so that the terms of five of the members shall expire each year. The Faculty Senate shall designate the Chairman of the Committee from among the members of the Committee. Alternate temporary members may be appointed at any time by the Executive Committee to facilitate the grievance procedures.

2. Preliminary Proceedings

a) No change

b) If informal consultation fails to resolve the matter, the aggrieved party shall refer the dispute to the Faculty Senate by means of a letter addressed to the Chairman of the Executive Committee. The Senate Executive Committee, once it has made its own determination that all reasonable efforts to achieve a resolution through informal consultation have been exhausted, shall appoint either a special mediator or a special mediation committee of three members, none of whom shall be members of the Grievance Dispute Resolution Committee; and this mediator or mediation committee shall conduct an informal investigation of the matter and attempt to effect expeditiously a mutually satisfactory resolution. The appointment shall be recorded in the minutes of the Faculty Senate.

c) The special mediator or mediation committee shall ~~submit~~ a report to the Faculty Senate Executive Committee, with copies to the parties, only when that either a mutually satisfactory resolution solution has been achieved, in which case the the report should set forth the basis of the settlement, or that it is has been concluded that further efforts at mediation would be futile. The report shall include, if appropriate, an evaluation of, or recommendations concerning, any university, college, school, or departmental policies or practices involved in the dispute. If a resolution has been achieved, the report should set forth the basis of the settlement.

KEY TO AMENDMENTS:

PEAF Com.orig.: "---" & " "
 Fac.Sen.11/9/84: "///" & " "
 Fac.Sen.12/14/84: " " " "

3. Formal Proceedings

a) Commencement of Proceedings

1) If the preliminary proceedings do not result in a mutually satisfactory resolution of the dispute, any party to the dispute may commence formal proceedings by means of a complaint addressed to the Chairman of the Grievance Committee, with copies sent to the Chairman of the Executive Committee of the Faculty Senate and the other party or parties.

2) The complaint shall set forth with particularity the nature of the dispute, the identity of the remedy sought, and the reasons alleged to justify the remedy.

3) Within twenty calendar days of the receipt of the complaint, the other party or parties to the dispute shall reply in writing, sending copies of the reply to the Chairman of the Grievance Committee, the Chairman of the Executive Committee of the Faculty Senate, and the complaining party or parties.

4) The reply shall set forth with particularity the position of the replying party or parties with respect to each allegation of the complaint.

3. Formal Proceedings

a) Commencement of Proceedings

1) If the preliminary proceedings do not result in a mutually satisfactory resolution of the dispute, any party to the dispute may commence formal proceedings by means of a complaint addressed to the Chairman of the Grievance Dispute Resolution Committee, with copies sent to the Chairman of the Executive Committee of the Faculty Senate and the other party or parties.

2) The complaint shall set forth with particularity the nature of the dispute, specifying the rights or responsibilities under the Faculty Code alleged to have been violated or the substantial injury allegedly inflicted, the specific act or acts alleged to constitute the violation or to have inflicted the injury, the identity of the remedy sought, and the reasons alleged to justify the remedy. No grievance or arbitration may be maintained on the basis of error which did not affect the substantial rights of the complainant.

3) Within twenty calendar days of the receipt of the complaint, the other party or parties to the dispute shall reply in writing, sending copies of the reply to the Chairman of the Grievance Dispute Resolution Committee, the Chairman of the Executive Committee of the Faculty Senate, and the complaining party or parties. -4) The reply shall set forth with particularity the position of the replying party or parties with respect to each allegation of the complaint.

4) Upon receipt of the complaint and reply, the Chairman of the Dispute Resolution Committee shall, with the advice of the Executive Committee of the Faculty Senate, consider whether the matter in dispute is suitable for arbitration; and if he finds it so, shall recommend offer arbitration to the parties.

Agreement to arbitration binds the parties to accept the arbitrator's award. If the parties agree, the Chairman of the Dispute Resolution Committee shall initiate the arbitration process as specified below. If the matter in dispute is not suitable for arbitration or the parties fail to agree on arbitration, the Chairman of the Dispute Resolution Committee shall appoint a Hearing Committee and Hearing Officer as provided below to consider whether a grievance may be maintained.

3. Formal Proceedings

a) Commencement of Proceedings /cont./

Add new section:

5) Arbitration shall not be initiated unless all parties to the dispute agree to arbitration. Where a dispute contains issues that are arbitrable only and issues that are grievable, the parties may agree to sever the issues which are arbitrable only and arbitrate only those issues. If the parties agree to arbitration, the Chairman of the Dispute Resolution Committee shall initiate the arbitration process as specified below. If the matter in dispute is not suitable for arbitration or the parties fail to agree on arbitration, the Chairman of the Dispute Resolution Committee shall appoint a Hearing Committee and a Hearing Officer as provided below to consider whether a grievance may be maintained.

E. PROCEDURES FOR IMPLEMENTATION

3. Formal Proceedings

b) Arbitration

1) Upon mutual agreement to arbitration, an arbitrator shall be ~~picked~~ designated by the Chairman of the Dispute Resolution Committee, in consultation with the Executive Committee, from a ~~panel of~~ University faculty who ~~are~~ ~~qualified by~~ selected on the basis of their experience and training. ~~The complainant~~ Any party may make one preemptory challenge to the arbitrator appointed. Any party may also challenge for cause the arbitrator appointed, in which case the Dispute Resolution Committee shall review the challenge, and if it is found justified, the Chairman shall appoint another arbitrator.

2) The Arbitrator shall request expeditiously that the parties concerned submit documents and other information enabling the arbitrator to determine that an arbitrable dispute exists. This initial activity may include interviewing the parties. If the arbitrator finds that the dispute is not an arbitrable one under Article X.B.2. of the Code, he shall return the dispute to the Dispute Resolution Committee for disposition. Otherwise a time for hearing shall be set as soon as all parties can appear.

3) The arbitration hearing is less formal than that for resolving grievances, and emphasis shall be on a complete and fair presentation of the issues. The parties shall have access to all documents submitted to the arbitrator, except documents pertaining to individual faculty salaries. The arbitrator may question witnesses and otherwise assist the parties to present the information needed to make an informed decision. Each party may make a closing statement after all testimony has been presented.

Add new section:

4) The task of the arbitrator is not to substitute his/her judgment for that of the makers of the decision which is being challenged unless he/she finds that a substantial injury has resulted from an arbitrary and capricious action.

3. Formal Proceedings

b) Arbitration /cont./

4) 5) The award and a written reason for the decision shall be prepared by the arbitrator within 60 days from conclusion of the hearing. A copy shall be sent to the faculty member, any other parties to the dispute, and the Dispute Resolution Committee. The award is binding on the parties, including the University, should it be a party.

b) Hearing Committee

1) Upon receipt of the complaint, the Chairman of the Grievance Committee shall, with the advice of the Executive Committee of the Faculty Senate, appoint a Hearing Committee of three members from among the members of the Grievance Committee. If the Hearing Committee finds that the complaint is based upon issues, evidence or allegations that have been previously heard and decided, or which could have been presented in a previous hearing, the Hearing Committee, in its discretion, may dismiss the complaint.

2) No member of the same department as a party shall sit on the Hearing Committee. Any party to a dispute may disqualify one member of the Hearing Committee by preemptory challenge. Any party may also seek to disqualify a member of the Hearing Committee for cause. The Grievance Committee shall hear and decide any challenges for cause. The Chairman of the Grievance Committee shall, from among the remaining members of the Grievance Committee, fill any vacancies on the Hearing Committee created by challenges.

b) c) Hearing Committee and Hearing Officer

1) If the issue in dispute is not suitable for arbitration or the parties fail to agree to binding arbitration, the Chairman of the Dispute Resolution Committee shall, with the advice of the Executive Committee of the Faculty Senate, appoint a Hearing Committee of three members from among the members of the Dispute Resolution Committee, and a presiding Hearing Officer from a panel of names previously approved by the Executive Committee. The Hearing Officers shall be chosen from among University personnel of appropriate experience and training, but need not be attorneys. The role of the Hearing Officer throughout these procedures is to assure an orderly, expeditious, and relevant hearing; to assure the development of a complete, fair and reliable record; and to advise the Hearing Committee as to issues of substance and procedure. The Hearing Committee may request the replacement of the Hearing Officer at any time.

(Delete rest of original section.)

2) No member of the same department as a party shall sit on the Hearing Committee. Any party to a dispute may disqualify one member of the Hearing Committee by preemptory challenge. Any party may also seek to disqualify a any member of the Hearing Committee for cause. The Dispute Resolution Committee shall hear and decide any challenges for cause. The Chairman of the Dispute Resolution Committee shall, from among the remaining members of the Dispute Resolution Committee, fill any vacancies on the Hearing Committee created by challenges.

E. PROCEDURES FOR IMPLEMENTATION

3. Formal Procedures

b) Hearing Committee

3) When all challenges have been decided and vacancies filled, the Hearing Committee shall convene, establish a schedule for the hearings, and elect a chairman from among its members to preside during the formal proceedings.

b) c) Hearing Committee and
Hearing Officer /cont./

3) When all challenges have been decided and vacancies filled, and as soon as reasonably possible after receipt of respondent's reply, the Chairman of the Dispute Resolution Committee shall convene the Hearing Committee to review the Complaint. If a defendant/moves/to/dismiss and/if/the/Chairman/of/the/Dispute/Resolution Committee and/two/members/of/the/Hearing Committee/or/if/all/members/of/the/Hearing Committee, majority of the Hearing Committee, after an opportunity for informal argument by the parties, finds that the complaint does not allege facts sufficient to state a grievance under the Code or that the complaint is based upon evidence or allegations which are substantially the same as those that have been previously heard and decided, or which could have been presented in a previous hearing, or that the complaint raises, in whole or in part, issues that are arbitrable only, the complaint shall be automatically referred to the Dispute Resolution Committee for consideration at the earliest reasonable time. If ten/members a majority of the Dispute Resolution Committee (including/the/Chairman/and/the members/of/the/Hearing/Committee) concludes that for any of the reasons set out in this section a hearing is not warranted, the complaint shall be dismissed, in whole or in part, and the matters dismissed deemed closed

Add new section:

4) On the determination that a hearing is warranted, the Hearing Committee shall be convened by the presiding Hearing Officer and establish a schedule for the hearing.

4) 5) No change

Add new section:

6) It shall be the duty of the Hearing Officer to convene promptly the meetings of the Hearing Committee and to preside; to assure the expeditious disposition of the case; to rule on all questions of substance or procedure necessary to the conduct of the hearing, subject to being overridden by a majority vote of the Hearing Committee; to ask questions and to control the development of testimony and of evidence in the record as deemed appropriate; to prepare a draft opinion for the use of the Hearing Committee; and to advise the Hearing Committee in its deliberations on questions of substance and procedure. The Hearing Officer does not vote on the ultimate questions of fact, substance, procedure, or policy, as

4) All three members of the Committee shall be present during the hearings and the deliberations of the Committee except that the presence of one of them during part of the proceedings may be waived by agreement of the parties.

E. PROCEDURES FOR IMPLEMENTATION

3. Formal Procedures

b) c) Hearing Committee and Hearing Officer
/cont./

these are acted upon by the Hearing
Committee. The Hearing Officer signs
dispositive orders of the Hearing Committee
only to authenticate them.

Add new section:

7) Members of hearing committees, members
of the Dispute Resolution Committee, and
the parties shall avoid ex-parte communica-
tions bearing on the substance of the
dispute.

c) Procedure for Hearings

1) The parties to the proceedings shall be entitled to appear in person and to be represented by counsel or other adviser.

2) The Hearing Committee may, in its discretion, request that the Executive Committee of the Faculty Senate designate a member of the Law Faculty to serve as Committee Counsel to advise the Committee on legal questions during the hearings and deliberations.

3) The procedure at the hearings shall be informal, but shall comply with the requirements of due process of law. The parties shall be entitled to testify on their own behalf, to call as witnesses any member of the University faculty and also any other person who is willing to testify, to present written and other tangible evidence, and to cross-examine witnesses called by other parties. Sworn depositions may be received in evidence when opposing parties have been given reasonable opportunity to appear and cross-examine the deponent. A party shall be entitled to inspect and copy, in advance of the hearing, any relevant documents in the control of another party and not privileged, and may offer such documents or excerpts therefrom in evidence.

e) d) Procedure for Hearings

1) No change

2) A grievance procedure is not a formal judicial proceedings. Its purpose is to provide a fair evaluation of the allegation that a right or a responsibility has been violated. In order to achieve that end, the Hearing Committee shall have authority to require the appearance of any material witness who is a member of the University faculty, administration, or staff, and also any other person who is willing to testify; to question parties and witnesses; to exclude matters it deems irrelevant; and to place reasonable limits on arguments, the presentation of evidence, and the questioning of witnesses by the parties.

3) The procedure at the hearings shall be informal, but shall comply with the requirements of fairness to the parties. The Hearing Committee is not required to comply with rules of evidence applicable in courts of law and may receive any relevant evidence which is not privileged. The Hearing Committee may decline to consider evidence where its probative value is outweighed by considerations of unfair prejudice, confusion of the issues, undue delay, waste of time, or needless presentation of cumulative evidence. The parties shall be entitled to testify on their own behalf, to require the appearance of any material witness who is a member of the University faculty, administration, or staff, and to call any other person who is willing to testify; to present written and other tangible evidence, and to cross-examine witnesses called by other parties. Sworn depositions may be received in evidence at the discretion of the Hearing Committee. A party shall be entitled to inspect and copy in advance of the hearing, any relevant documents in the control of the other party and not privileged, and may offer such documents or excerpts therefrom in evidence.

Procedures for Implementation of
Article X of the Faculty Code

Formal Proceedings

c) Procedure for Hearings

4) The parties shall be entitled to present opening and closing statements.

5) A stenographic record of the hearings shall be made and one copy, which shall be available to all parties, kept on file by the University.

6) The hearings shall be open to the public unless, on the motion of a party or the Hearing Committee, the Hearing Committee shall determine that it is in the best interest of the University and the parties that the hearings be closed.

7) At the conclusion of the taking of evidence and the hearing of arguments, the Committee shall deliberate and reach its decision in closed session. The vote of a majority shall be determinative.

8) The Hearing Committee shall render its findings and recommendations in a written report which shall state the number of members subscribing to the report and shall include dissenting opinions, if any. This report shall be submitted to the Chairman of the Executive Committee of the Faculty Senate and copies shall be transmitted to the parties.

3. Formal Proceedings

e) d) Procedure for Hearings /cont./

4) No change

5) No change

6) No change

7) At the conclusion of the taking of evidence and the hearing of arguments, the Committee shall deliberate and reach its decision in closed session. The Hearing Committee is not to substitute its judgment for that of the makers of a decision which is being challenged but rather to determine whether a substantial injury has resulted from an action that was arbitrary and capricious or otherwise substantially in violation of the Faculty Code. The vote of a majority shall be determinative.

8) Within ten calendar days The Hearing Committee shall render its findings and recommendations in a written report which shall state the number of members subscribing to the report and shall include dissenting opinions, if any. This report shall be submitted to the Chairman of the Executive Committee of the Faculty Senate and copies shall be transmitted to the parties and to the Chairman of the Dispute Resolution Committee.

Add new section:

9) The hearing procedures shall be concluded and the Hearing Committee's decision shall be rendered as soon as practicable.

E. Procedures for Implementation of
Article X of the Faculty Code

4. Appeals

a) Any party may appeal the decision of the Hearing Committee by filing a notice of appeal with the Chairman of the Grievance Committee and sending copies thereof to the Chairman of the Executive Committee of the Faculty Senate and to the other parties. The notice of appeal must be filed with-

in ten days of the receipt of the decision of the Hearing Committee.

b) An appeal shall be heard by those members of the Grievance Committee who were not members of the Hearing Committee provided that members of the Committee who were disqualified from sitting as members of the Hearing Committee and members of the same department as any of the parties shall not participate in the hearings of the appeal.

c) The parties to an appeal shall be entitled to present written and oral argument.

d) The Grievance Committee shall render an opinion in writing, sustaining, modifying, or remanding the decision of the Hearing Committee. Copies of the opinion shall be transmitted to the parties and the Chairman of the Executive Committee of the Faculty Senate.

5. Disposition

When the time for filing an appeal has expired without an appeal having been commenced, or when the appeal process has been completed and a final decision has been rendered, the record of the case, including the decisions of the Hearing Committee and the Grievance Committee, shall be transmitted to the President and the Board of Trustees for final disposition.

4. Appeals

a) Any party may appeal the decision of the Hearing Committee by filing a notice of appeal with the Chairman of the Grievance Dispute Resolution Committee and sending copies thereof to the Chairman of the Executive Committee of the Faculty Senate and to the other parties. The notice of appeal must be filed within ten calendar days of the receipt of the decision of the Hearing Committee.

b) An appeal shall be heard by members of the Grievance Dispute Resolution Committee who were not members of the Hearing Committee provided that members of the Committee who were disqualified from sitting as members of the Hearing Committee and members of the same department as any of the parties shall not participate in the hearings of the appeal. A quorum for hearing an appeal shall be two-thirds of those members of the Grievance Dispute Resolution Committee eligible under the terms of this section.

c) The parties to an appeal shall be entitled to present written and oral argument. However, evidence not introduced in the hearing may not be considered on appeal.

d) The Grievance Dispute Resolution Committee shall decide by majority vote and render an opinion in writing, sustaining, modifying, or remanding the decision of the Hearing Committee. Copies of the opinion shall be transmitted to the parties and the Chairman of the Executive Committee of the Faculty Senate.

5. Disposition

When the time for filing an appeal has expired without an appeal having been commenced, or when the appeal process has been completed and a final decision has been rendered, the record of the case, including the decisions of the Hearing Committee and the Grievance Dispute Resolution Committee, shall be transmitted to the President and the Board of Trustees for final disposition.

A RESOLUTION TO AMEND THE PROCEDURES FOR IMPLEMENTATION OF THE FACULTY CODE,
PARAGRAPH F, DISMISSAL OF A FACULTY MEMBER (84/6)

WHEREAS, the procedures provided in Paragraph F for Dismissal of a Faculty Member for Adequate Cause under Article V, Paragraph C of the Faculty Code are closely linked to the Procedures for Implementation of Article X in Paragraph E, THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

That Paragraph F be brought into conformity with Paragraph E of the Procedures by substituting "Dispute Resolution" for "Grievance" Committee wherever the latter term appears as shown in the attached:

Committee on Professional Ethics and Academic Freedom of The Faculty Senate
April 20, 1984

Postponed 5/4/84 to next regular Senate meeting (9/21/84)

Postponed 9/21/84 to the November 9, 1984, Senate meeting

Postponed 11/9/84 to the December 14, 1984, Senate meeting

Adopted December 14, 1984

F. Procedures for the Dismissal of a Faculty Member for Adequate Cause

1. Commencement of Proceedings

a) Proceedings to dismiss a tenured faculty member for adequate cause may be commenced by a complaint, addressed to the Chairman of the Grievance Committee, signed by the Vice President for Academic Affairs and either the dean or the department chairman who has administrative responsibility for the faculty member concerned. The complaint shall set forth the grounds alleged to constitute adequate cause for dismissal. A copy of the complaint shall

be delivered in hand to the faculty member concerned or shall be sent by registered mail to the faculty member's residence. A copy of the complaint shall also be sent to the Chairman of the Executive Committee of the Faculty Senate.

b) Proceedings may also be commenced by a petition, setting forth the grounds alleged to constitute adequate cause for dismissal and signed by a majority of the tenured faculty of the school or college of the faculty member concerned, or twenty tenured members of that faculty, whichever is the lesser. A copy of the executed petition shall be delivered in hand to the faculty member concerned or sent by registered mail to his residence. Copies shall also be sent to the Chairman of the Grievance Committee, the Chairman of the Executive Committee of the Faculty Senate, and the Vice President for Academic Affairs.

c) Within twenty calendar days of the receipt of the complaint, the faculty member concerned shall reply in writing, sending copies of the reply to the Chairman of the Grievance Committee, to the Chairman of the Executive Committee of the Faculty Senate, and to the Vice President for Academic Affairs. The reply shall set forth with particularity the responding faculty member's position with respect to each allegation of the complaint.

F. Procedures for the Dismissal of a Faculty Member for Adequate Cause

1. Commencement of Proceedings

a) line 4: Strike "Grievance" and insert "Dispute Resolution"

b) line 12: Strike "Grievance" and insert "Dispute Resolution"

c) line 5: Strike "Grievance" and insert "Dispute Resolution"

F. Procedures for the Dismissal of a Faculty Member for Adequate Cause

2. Hearing Committee

a) Upon receipt of the complaint, the Chairman of the Grievance Committee shall, with the advice of the Executive Committee of the Faculty Senate, appoint a Hearing Committee of six members from among the members of the Grievance Committee.

b) No member of the same department as the faculty member concerned and no one who has signed a petition seeking that faculty member's dismissal shall sit on the Hearing Committee. The faculty member concerned may disqualify two members of the Hearing Committee by peremptory challenge and may also seek to disqualify a member of the Hearing Committee for cause. The Grievance Committee shall hear and decide any challenges for cause. The Chairman of the Grievance Committee shall, from among the remaining members of the Grievance Committee, fill any vacancies on the Hearing Committee created by challenges.

c) When all challenges have been decided and vacancies filled, the Hearing Committee shall convene, establish a schedule for the hearings, and elect a chairman from among its members to preside during the formal proceedings.

d) All of the members of the Hearing Committee shall be present during the hearings and the deliberations of the Committee except that the presence of one of them during part of the proceedings may be waived by agreement of the parties.

3. Procedure for Hearings

The procedure for the hearings shall be the same as provided in Part E of these Procedures, except that the hearing shall be closed on the motion of the faculty member concerned, and that the Hearing Committee may recommend the dismissal of the faculty member concerned only by the affirmative vote of two-thirds of its members.

4. Appeals

The faculty member concerned may appeal the decision of the Hearing Committee in accordance with the procedures provided in Part E, Paragraph 4, of these Procedures.

5. Attorneys' Fees and Expenses

If a faculty member prevails against charges brought against him or her, the University may, upon recommendation of the Hearing Committee, reimburse the faculty member concerned for all or part of attorneys' fees and expenses actually incurred in his or her defense.

F. Procedures for the Dismissal of a Faculty Member for Adequate Cause

2. Hearing Committee

a) line 2 & 6:

Strike "Grievance" and insert "Dispute Resolution"

b) lines 10, 12 & 14:

Strike "Grievance" and insert "Dispute Resolution."

c) No change

d) No change

3. Procedure for Hearings

No change

4. Appeals

No change

5. Attorney's Fees and Expenses

No change

A RESOLUTION OF APPRECIATION (84/7)

WHEREAS, Harold Frederick Bright has earned and held the respect, gratitude, and affection of all the varied components of this complex academic community; and

WHEREAS, his services to the Faculty Senate as elected member, ex officio member, colleague, and friend richly deserve acknowledgement and applause; THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

That the following citation be issued:

In recognition of his contributions to The George Washington University as Professor of Statistics; Chairman of the Department of Statistics; Associate Dean of Faculties; Acting Dean of the School of Government, Business, and International Affairs; Vice President for Academic Affairs; and Provost;

In recognition of his service as Vice President of the Faculty Assembly, as presiding officer at many meetings of the Faculty Senate (many of them protracted despite his best efforts), and as a helpful and productive member of Senate committees;

Especially in recognition of his balanced perspective, his honesty and forthrightness, and his (usually) unfailing good humor that have marked his relationship with the Faculty Senate and its Executive Committee;

Upon the occasion of the retirement of a valued colleague and friend

THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

CITES

HAROLD FREDERICK BRIGHT

FOR

DISTINGUISHED SERVICE



Lloyd H. Elliott
Lloyd H. Elliott
President

Edwin L. Stevens
Edwin L. Stevens
Howard C. Pierpont
Howard C. Pierpont
John A. Morgan, Jr.
John A. Morgan, Jr.
Peter P. Hill
Peter P. Hill
William B. Griffith
William B. Griffith
Chairmen, Executive Committee

Adopted by acclamation 5/4/84

A RESOLUTION TO ENDORSE PROPOSED CHANGES IN THE RETIREMENT BENEFITS (84/8)

WHEREAS, the Faculty Senate has received a recommendation to endorse the Report of a Special Committee appointed to review the University's use of TIAA/CREF as the sole retirement program; therefore

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

That the Faculty Senate endorses the findings and recommendations of the TIAA-CREF Study Committee and recommends the implementation of the Committee's recommendations with the following insertion on Page 2 in the first line of Item 4 after "review committee": ", including members of the Faculty Senate Committee on Appointment, Salary and Promotion Policies (including Fringe Benefits),"

Committee on Appointment, Salary and Promotion Policies
(including Fringe Benefits)
September 7, 1984

Adopted 9/21/84



THE
GEORGE
WASHINGTON
UNIVERSITY

Washington, D.C. 20052 / Faculty Senate / (202) 676-7198

MEMORANDUM

August 1, 1984

TO: Faculty Senate Members

FROM: Theodore S. Sims, Associate Professor of Law *T.S. Sims*
Chairman, Senate Special Committee on Retirement Benefits

RE: TIAA-CREF

I am writing to urge that the Faculty Senate give favorable consideration to the recommendations, formulated by a committee designated by President Elliott and chaired by Vice President Diehl (the "Administration Committee"), for revisions to the University's existing arrangements relating to its retirement plan.

Early last year, the Faculty Senate designated a Special Committee, consisting of Professors Frederick Amling, James R. Barth, Henry M. Steiner, and myself (the "Special Committee"), to review the University's existing arrangements for the funding of retirement plan contributions through Teachers' Insurance & Annuity Association ("TIAA") and the College Retirement Equities Fund ("CREF"). For reasons for which I am mostly responsible, the Special Committee did not commence work until the beginning of the 1983-84 academic year. At that time, progress of the Committee's work was hampered by the fact that Professor Amling was on sabbatical and Professor Barth was on leave at the Congressional Budget Office.

Toward the end of 1983, President Elliott designated the Administration Committee, chaired by Vice President Diehl, to review the same matters. Because I had been named the chair of the Special Committee, I was invited to join in the deliberations of the Administration Committee. It rapidly began to appear to me that the latter was moving on a far faster track than the Special Committee, with various members on leave, possibly could. After speaking with Professor Morgan, I therefore refrained from further pursuing the work of the Special Committee, and participated in the deliberations of the Administration Committee, which itself required a substantial commitment of time.

That Administration Committee now has formulated and forwarded to President Elliott a series of recommendations, which include adding two additional service providers, the Equitable Life Assurance Society

and the Vanguard Group of Mutual Funds, to the existing retirement program. (Together, the addition of these two firms collectively would increase from two to about 20 the number of investment choices available to participants in the retirement plan.) Under the Administration Committee's recommendations, University contributions to the basic plan (up to 10 percent of compensation) would continue to be funded exclusively through TIAA-CREF. However, participating faculty and staff would be free to allocate their own contributions, both to the basic plan and any supplemental contributions, to TIAA-CREF or to the other designated investment vehicles. In addition, the Administration Committee has recommended altering the existing restrictions on withdrawal of employee contributions to the basic plan, so they could be withdrawn (in whole or in part) in a lump sum at specified times.

I understand that the Administration Committee's recommendations to President Elliott, as well as the committee Consultant's Report, already have been forwarded to the Faculty Senate Executive Committee. I also understand that the Administration Committee's recommendations have been endorsed by President Elliott, but have not yet been submitted for approval by the Trustees.

Recognizing that there is always more that could be done, I regard the Administration Committee's recommendations as a substantial step forward, and I personally am prepared to endorse them. They accomplish much or all of what the Senate Special Committee could reasonably have expected to achieve. I must say, in addition, that given the multiplicity and difficulty of the issues that have arisen, I believe that on the whole the Administration Committee's recommendations represent a major accomplishment, not least in view of the fact that they were produced with such dispatch.

I personally furnished copies of the Administration Committee's recommendations (together with the Consultant's Report) to the other members of the Senate Special Committee in June, requesting their reaction to those documents. Thus far, given that it is the summer, I have been unable to secure their views. Consequently, in writing this memorandum I speak only for myself. Nevertheless, as I have said, I regard the work of the Administration Committee as a significant step forward, I believe its recommendations deserve to be adopted, and I would urge its endorsement by the Faculty Senate.

cc: Professor Amling
Professor Barth
Professor Steiner

THE GEORGE WASHINGTON UNIVERSITY
INTERDEPARTMENTAL MEMORANDUM

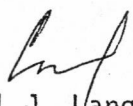
July 26, 1984

Memorandum to Professor William B. Griffith
Chairman, Faculty Senate Executive Committee

Subject: Report of the TIAA-CREF Study Committee

Enclosed is a copy of the report of the TIAA-CREF Study Committee and a copy of the report by Leonard W. Johnson, consultant to the Committee.

As indicated, we plan to obtain Board approval at the October meeting for the recommendations of the Committee.


Carl J. Lange
Vice President for Administration
and Research

Enclosures: 2

c: President Elliott
Provost Johnson
Vice President Diehl



THE
GEORGE
WASHINGTON
UNIVERSITY

Washington, D.C. 20052 / Office of Vice President and Treasurer

May 11, 1984

MEMORANDUM TO: DR. LLOYD H. ELLIOTT, PRESIDENT

FROM: CHARLES E. DIEHL, VICE PRESIDENT AND TREASURER

SUBJECT: REPORT OF THE TIAA-CREF STUDY COMMITTEE

Last December you asked that a committee be organized to review the University's use of TIAA-CREF as the sole retirement program available to University employees. Over the past four months, members of the TIAA-CREF Study Committee have reviewed the approaches employed and the conclusions reached by six other universities in examining this same question. (Johns Hopkins, Stanford, Georgetown, Duke, Wake Forest and the University of Rochester) These six universities carefully studied all aspects of their retirement programs over a period of nine to eighteen months with the help of benefits and investment consultants, at considerable out-of-pocket expense. They concluded that it would be appropriate to offer their participants a range of choices in the investment of their retirement program contributions.

Based on the experience of these Universities, the Committee invited presentations by TIAA-CREF and by four other organizations, two or more of which had been selected by each of these six universities.

In its deliberations, the Committee retained the services of Mr. Leonard W. Johnson, a person well known to you as an investment finance specialist and who is well acquainted with the academic environment. Mr. Johnson has had direct experience with this University in his former capacity of Senior Vice President of David L. Babson and Company, the endowment investment counsel for the University for more than fifteen years.

Attached is Mr. Johnson's report to the Committee, which includes investment performance evaluation and other comparative information used by the Committee to arrive at its decisions. The Summary of Recommendations listed on the first page has undergone several modifications and reflects a consensus among members of the Committee and the Consultant.

These recommendations follow:

1. That TIAA and CREF continue to be offered as investment options in all relevant University retirement plans.
2. That the University's contributions to the Basic Retirement Plan continue to be invested only with TIAA and CREF. The individual may choose to invest his/her own contributions to the basic plan in TIAA and CREF or in additional annuity and mutual fund programs of other providers designated by the University. The individual may also choose to invest in a supplemental plan using programs designated by the University.
3. That designated funds offered by the Vanguard Group and the Equitable Life be offered in addition to TIAA and CREF. Offering these additional choices would increase by eighteen the number of investment options from those presently available through the TIAA/CREF selection process. The participant would retain the options to specify the division between TIAA and CREF for both the University's and his/her own contributions.
4. That an appropriate review committee ^{including members of the Faculty Senate Committee on Compensation, Salary and Promotion Policies (including Fringe Benefits)} be established to evaluate the program at annual intervals.
5. - That a suitable communications program be developed and implemented to enhance the understanding within the University community not only of these new investment alternatives but also of the need for sound planning as a prerequisite for a financially secure retirement.

The number of additional service providers was limited to two in the interests of practicability in administration of what generally will be a significant modification of the University's retirement program. Equitable and Vanguard were selected on the basis of their presentations, their records of investment performance, and their successful experience to date in administering comparable retirement investment programs at other Universities.

These recommendations should have little or no cost impact on the University. Employees would be given investment control over their own contributions to the Basic Retirement Plan, but the University would retain control over its contributions.

Although the investment choices to be offered are some of the best managed retirement investment funds available, it should be emphasized that the results of our study indicated that providing participants a greater range of investment choice will introduce an additional measure of exposure to risk which may be greater than is the case with CREF. Legal counsel has informally advised that, where control over retirement investments lies with the employee, the institution is not liable to the employee (or his/her heirs, agents, or assigns).

The University must make it clear that it cannot accept any responsibility for the participant's choices, which rest solely with the participant. However, the University will have to inform participants of these greater risks and their potential impact on participants' retirement investment benefits. The potential volatility of the stock market presents inherent risks and rewards which may be reflected in all of these investment choices, particularly when the participant can change his/her form of investment more frequently under the new choices available. Market timing and shifting between a number of fixed income, equity, and short term investments will be made available if the Board of Trustees approves our new plan.

Members of the Committee believe that providing eighteen additional investment choices, as compared with a range of thirty to forty at the six other universities studied, is sufficiently responsive to those individuals who would like more freedom of choice and flexibility in the management of their retirement investment program.

The Committee also reviewed the University's existing policies concerning so-called "lump sum withdrawals" of amounts in the retirement plan. As of now, consistent with the restrictions imposed by TIAA-CREF, an employee may withdraw up to ten percent of his or her account balance at retirement, but must otherwise take his/her retirement benefits in the form of a life annuity.

These restrictions are not required by law. Indeed, the tax laws appear to impose no restrictions on the surrender of annuity contracts issued by insurance companies. Where a university retirement fund is invested through a mutual fund group, such as Vanguard (so-called "Section 403(b)(7) plans"), an employee may make lump-sum withdrawals, but only in the event of death, disability, financial hardship, separation from service, or on reaching age 59-1/2.

After reviewing existing arrangements and in light of applicable legal requirements, the Committee concluded that University contributions should not be withdrawable other than in the form of a life annuity at retirement except for the currently permissible ten percent of an employee's accumulation at the time of retirement.

With respect to all of the employee's contributions, eligible and non-eligible for University matching, the Committee recommends relaxing the existing restrictions. Specifically, the Committee recommends that restrictions be changed so that they conform to those imposed by statute on Section 403(b)(7) plans invested in mutual funds. In other words, the Committee recommends that amounts attributable to employee contributions to the basic plan be withdrawable (in whole or in part) at death, on separation from service, in the event of disability or financial hardship, or at the

time of retirement. The Committee recommends, however, that the option of "cashing out" on separation from service not be available until the expiration of five years after the commencement of an employee's participation in the retirement plan.

The Committee does not recommend any change in the treatment of salary reduction contributions which are in excess of those eligible for University matching. Consequently, except as otherwise restricted by law, such amounts would remain withdrawable by participants at any time. Of course, the legal aspects of our recommendations with whatever disclaimers may be appropriate must be reviewed by legal counsel before proceeding with implementation.

Within the next eighteen months, several developments which may have a significant impact on personnel benefits in higher education are likely to occur. The National Association of College and University Business Officers (NACUBO) and a new Carnegie Commission are about to begin studies of TIAA-CREF and the whole retirement and other benefits area. Recent actions by TIAA-CREF demonstrate new flexibility in responding to the competitive demands of the investment management market, but reflect the prudent philosophy of retirement investment planning for which they are well known. For these reasons the Committee believes that implementing these recommendations is sufficient until the conclusions of these more comprehensive nationwide studies are available.

If you approve, I suggest that you authorize the Vice President and Treasurer to negotiate with the selected firms to ensure the most attractive administrative and investment costs available to the individual employee based on the experience of other universities. The Vice President for Research and Administration, the Director of Personnel Services, and the Comptroller would of course be involved in the negotiations.

Our recommendations also describe the need for a communications program to be developed and implemented to ensure an understanding by the University community not only of these new investment choices but also of the need for sound planning as a prerequisite for a financially secure retirement. To accomplish these objectives, members of the Committee realize that it will be essential for the offices of Personnel, the Comptroller, the Computer Center and Academic Publications, to assign a high priority to this program and for an adequate budget to be allocated for the publications.

If these recommendations are to be implemented by July 1, 1985, we should probably consult with the Committee on Financial Affairs of the Board of Trustees on the general concept of the plan at the May meeting, and then obtain final approval at the October meeting of the Board. Production of appropriate publications and planning for employee briefings could then be scheduled by those responsible.

Attachment: Retirement Plan Investment Options

C: COMMITTEE MEMBERS

RETIREMENT PLAN INVESTMENT OPTIONS

CONTRIBUTION SOURCES

RETIREMENT PLAN OPTIONS

	<u>TIAA/CREF</u>	<u>EQUITABLE</u>	<u>VANGUARD</u>
<u>EMPLOYER'S CONTRIBUTIONS</u> (2% to 10% of regular earnings)	X		
<u>EMPLOYEES' REGULAR CONTRIBUTIONS (1)</u> (1% to 5% of regular earnings)	X	X	X
<u>EMPLOYEES' ADDITIONAL CONTRIBUTIONS (2)</u> (amounts in excess of 5% of regular salary plus permissible %'s of supplement earnings)	X	X	X

- NOTES: (1) Employee will have the option of investing 100% of his/her regular contribution in either TIAA/CREF or Equitable or Vanguard.
- (2) Employee will have an independent option to invest 100% of his/her additional contribution in either TIAA/CREF, or Equitable or Vanguard.

MEMORANDUM

26 APRIL 1984

TO: THE GEORGE WASHINGTON UNIVERSITY TIAA/CREF ALTERNATIVE STUDY COMMITTEE
FROM: LEONARD W. JOHNSON, CONSULTANT TO THE COMMITTEE

Summary of Recommendations

- 1) That TIAA and CREF continue to be offered as investment options in all relevant University retirement plans.
- 2) That the University's contributions to the basic retirement plan continue to be invested only with TIAA & CREF. The individual may choose to invest his/her own contributions to the basic plan in TIAA & CREF or in additional annuity and mutual fund programs of other providers designated by the University. The individual may also choose to invest in a supplemental plan using programs designated by the University.
- 3) That designated funds offered by The Vanguard Group and The Equitable Life be offered in addition to TIAA & CREF. Offering these additional choices would increase by eighteen the number of investment options from those presently available through the TIAA/CREF selection process. The participant would retain the options to specify the division between TIAA and CREF for both the University's and his/her own contributions.
- 4) That an appropriate review committee be established to evaluate the program at annual intervals.
- 5) That a suitable communications program be developed and implemented to enhance the understanding within the University community not only of these new investment alternatives but also of the need for sound planning as a prerequisite for a financially secure retirement.

FINANCIAL PLANNING

It is an often overlooked truism that a sound financial plan is the most important ingredient in achieving the desired standard of living in retirement. Although the evaluation of the introduction of new alternatives is the focus of this committee's assignment, for many participants even more critical issues are whether they have an appropriate financial plan and whether they are setting aside sufficient funds to provide for the standard of living which they desire in their retirement years.

In the last few years, the funding crisis in the Social Security program and the introduction of an added deferred retirement vehicle (IRAs) have challenged widely held assumptions about the adequacy of retirement programs. Further, the Medicare-Medicaid program is faced with inadequate funding which, in all likelihood, will be partially resolved by a reduction in expected benefits.

The increased volatility of the economy in recent years has also become an unsettling element in the financial climate. The U.S. economy is emerging from its most severe decline in many decades. Further, although the current inflation rate is well below the double-digit pace of the late 1970's, the impact of that experience casts a shadow of uncertainty over the financial health of retirees living on fixed incomes. The present massive Federal budget deficits raise the prospect that the current slowdown in inflation may turn out to be temporary.

This initial focus on financial planning and on the economic setting is

intended to underline the importance of the following central point:

Planning for retirement and the selection of a suitable investment strategy should be approached prudently with the focus on long-term considerations. In the same vein, the key to a comfortable retirement does NOT lie in emphasizing short-term investment speculation with the hope of "outguessing the stock market."

Although the prudent man rule, first enunciated by Justice Putnam in 1830 and later incorporated into the Employee Retirement Income Security Act in 1974, provides guidance to fiduciaries in their management of the affairs of others, it is also a useful guideline for meeting one's own family obligations. Justice Putnam stated that fiduciaries should "observe how men of prudence, discretion and intelligence manage their own affairs, not in regard to speculation, but in regard to the permanent disposition of their funds, considering the possible income as well as the probable safety of the capital to be invested."

It is the underlying premise of these recommendations that the retirement plan of the University should provide the participants with suitable investment choices to aid them in providing for their retirement. Much as the first financial priority of a young family is to provide for adequate income protection in the face of the death of the family breadwinner, so should the University staff member take advantage of the opportunity offered by the University's retirement program to provide an adequate financial foundation for his/her family in retirement.

Stated simply, the amount contributed to the plan together with the long-term return earned on the invested funds determines the size of the

fund available to the participant at retirement. For example, if a staff member and the University together were to contribute a total of \$6,000 annually for 20 years, the results would be as follows:

Investment Return	Total Capital Accumulation	Estimated Monthly Income at Age 65
8%	\$284,500	\$2,900
10%	\$359,100	\$4,100
12%	\$455,600	\$5,800

Source: The Johns Hopkins University

This comparison illustrates the importance of achieving a favorable rate of investment return over time.

TIAA/CREF

The first recommendation is that TIAA and CREF continue to be offered as investment options in all relevant University plans.

TIAA/CREF has well recognized strengths and weaknesses. It is widely accepted among many colleges and universities and is a known quantity.

TIAA is a well-managed fixed income vehicle, and it has achieved a favorable long-term record (see Exhibits). The large size of the fund permits adequate diversity in the portfolio and has enabled its managers to invest in potentially higher return investments with participating features.

On a relative basis, the long-term record of CREF is less favorable. At present, 70% of the CREF portfolio is indexed to the Standard & Poor's 500 stock index. Consequently, the CREF portfolio is comprised of large, high-quality companies which will typically perform less well than lower-quality, small-company portfolios in a period of generally rising stock prices. Conversely, CREF will customarily perform better than most more aggressive professionally managed funds at a time of declining equity quotations.

This high-quality, below-average volatility nature of CREF's portfolio makes it a suitable investment selection for many of the participants in the University's retirement program. An investor in CREF will probably not achieve a well above-average relative performance over the long run; at the same time he is unlikely to run the risk of a disastrous result.

ALTERNATIVE INVESTMENT OPTIONS

The Committee is aware that many universities and colleges have undertaken programs to alter their retirement plans in order to afford participants a wider selection of alternatives to TIAA/CREF. Johns Hopkins, Harvard, Stanford, Duke, The University of Rochester, Yale, Georgetown, and many others have recently reviewed this issue thoroughly and have decided to make additional options available to their staff members.

Over the past decade, a rising number of corporations and other organizations have given their employees a greater say in the selection of

investment options in their retirement plans. This pattern is especially true for contributory and variable benefit plans such as profit-sharing plans. However, this approach has not been followed in the case of fixed benefit pension plans where the employer has an obligation to provide a specific level of benefits.

This is analogous, though not precisely, to the consideration of the appropriate degree of individual choice of investment alternatives as the University expands the available options. At present, the participant has the opportunity to determine the division between TIAA and CREF for both the University's and his/her own contributions.

For the University's contributions to the University's basic retirement plan, it is recommended that the program continue as it is with the participant's choice limited to TIAA or CREF. This approach will ensure that this portion of the funds will be invested in high-quality portfolios satisfying the fiduciary desire of the University to see that the amounts which it contributes to the plan are invested in a prudent fashion on behalf of all participants.

For the individual's contributions to the University's basic retirement plan and the supplemental plan, it is suggested that the participant have an opportunity to choose among a wider range of investment alternatives.

SELECTION OF SUITABLE ALTERNATIVES

The Committee heard proposals and reviewed detailed information from four

organizations which have recognized experience in this field. These firms were:

- The Fidelity Group (mutual funds)
- The Vanguard Group of Investment Companies (mutual funds)
- The Equitable Life Assurance Society
- The Prudential Insurance Company

These organizations were evaluated on the basis of the following criteria:

- Must offer 403(b)(7) plans
- Only no-load funds
- Reasonable management fees
- Should offer a range of options ie. a family of funds
- Strong administrative support
- Favorable investment record
- Compatible organizational philosophy
- Willingness to work with The George Washington University

The goal of the selection process has been to provide the participants with an appropriate range of options without offering so many alternatives that the program becomes unnecessarily complex and confusing.

In this context, it is recommended that the University offer appropriate investment alternatives including suitable annuity options from an insurance carrier (Equitable) and from a family of funds offered by a mutual fund group (Vanguard). Together, Equitable and Vanguard offer a variety of fixed income, money market, balanced and common stock funds. (A description of each recommended fund is included in the Exhibits.)

Equitable is recommended because it offers a suitable annuity alternative

with competitive rates of return as well as a group of four separate funds. These portfolios are concentrated in high-quality investment securities. Further, Equitable has achieved a favorable long-term investment record and embraces a compatible approach to investing retirement assets.

The Vanguard Group is an unusual mutual fund management organization in that it is internally owned by the shareholders of its mutual funds. Another uncharacteristic feature of Vanguard is that it employs two additional investment managers (Batterymarch Financial and Schroder International) in addition to Wellington Management, with whom it has been affiliated for many years.

The Vanguard funds offer the participant a wide variety of distinctly different funds with outstanding long-term investment records. This organization has been selected by a number of universities and colleges to provide alternatives to TIAA/CREF.

It should be clear that the University is not recommending any one new investment option. Rather, each individual participant will make his/her own selection from any of the available alternatives. The participant must make his/her own decision as to the suitable level of risk for his/her own retirement assets. On balance, the investment vehicles offered by Vanguard and Equitable are suitable for long-term investments to be made in connection with financial planning for retirement. At the same time, it is necessary for the University and for plan participants to understand the choice among investment alternatives may subject participants to different

levels of risk.

For example, Vanguard's Explorer Fund has a stated objective of "seeking long-term growth of capital by investing in securities of small, unseasoned or embryonic companies. This fund has commensurately high investment risks." Consequently, although the University may choose to include Explorer Fund among the funds available to plan participants, it should be understood that Explorer, in particular, would be a suitable selection only for participants who recognize and can accept these explicit risks, and that other alternatives may also entail significant investment risks.

All of the funds considered are no-load funds, i.e. there are no front-end sales charges or withdrawal penalties. Rather, annual management and expense fees are levied against the assets of a given fund. The annual expense ratios for the four groups and for TIAA & CREF are as follows:

	-----Expense Ratio-----	
	Range	Average
Equitable	0.55-0.75%	0.65%
Fidelity	0.63-1.50%	0.90%
Prudential	1.00%	1.00%
Vanguard	NA	0.58%
Mutual Fund Industry Average	NA	1.00%
TIAA & CREF	NA	0.25%

In addition, TIAA and CREF charge a front-end load of 1.25% for amounts invested in Supplemental Retirement Annuities. Also, the mutual fund and insurance companies may charge an annual maintenance fee of approximately \$10 - \$15 per account. The final determination of these fees will be made after final negotiations are completed.

EVALUATION

In order to evaluate the program on a systematic basis, it is suggested that a review committee be appointed to monitor the following issues:

- 1) Changes in the investment approach, personnel or ownership of the investment advisers.
- 2) Investments results, without undue emphasis on the most recent short-term progress.
- 3) Adherence of the funds to their stated investment objectives
- 4) Administration and recordkeeping.
- 5) Addition of any new funds/alternatives.

It would seem appropriate to review the status of the program once a year. At the same time, the appraisal of the investment results should be viewed in a longer-term context, with particular attention to comparisons with other funds of similar objectives.

COMMUNICATIONS

As indicated in the section covering financial planning, it is recommended that the communications to the University community which set forth the

VANGUARD

The Vanguard Group of Investment Companies has its headquarters in Valley Forge, Pennsylvania and started its first fund in 1928. At present, the Group has 14 funds totalling over \$6 billion in assets.

The individual funds offered by Vanguard and which are recommended for investment by The George Washington University participants are as follows:

EQUITY FUNDS

- | | |
|---------------------|--|
| Windsor Fund | invests primarily in common stocks and seeks long-term growth of principal and income. Current income is a secondary objective. |
| Ivest Fund | seeks to provide long-term capital appreciation by investing in an international diversified portfolio of equity securities. Dividend income is incidental. |
| W.L.Morgan Growth | seeks long-term growth of capital by investing primarily in equity securities. The fund differs from other more traditional growth funds by a consistent commitment to having a portion of its assets invested in emerging growth companies. |
| Vanguard Index Fund | seeks to match the performance of the Standard & Poor's 500 Stock Index. Owns the 500 stocks contained in the Index. |
| U.S. Portfolio | seeks to maximize long-term total return by investing primarily in common stocks. The fund is the first mutual fund to be advised by Batterymarch Financial Management, one of the nation's leading money managers. |
| Explorer Fund | seeks long-term growth of capital by investing in securities of relatively small, unseasoned or embryonic companies. The fund has commensurately high investment risks. |

BALANCED FUNDS

- | | |
|------------|--|
| Wellington | seeks conservation of principal, reasonable income and profits without undue risk. This fund is balanced, two-thirds of which is normally invested in common stocks and one-third in fixed income. |
| Wellesley | A balanced fund which seeks to provide as much income as is consistent with reasonable risk by investing in bonds and common stocks. |

FIXED INCOME FUNDS

- | | |
|-----------------------|--|
| Investment Grade Bond | invests in "investment grade" bonds. |
| High Yield Bond | invests in "medium maturity" corporate bonds. |
| GNMA | invests in U.S. guaranteed mortgage-backed securities. |
| Short Term | invests in short-term investment grade bonds. |

MONEY MARKET

- Prime invests in high-quality money market certificates of deposit and banker's acceptances of major U.S. banks and prime commercial paper.
- Federal invests only in securities guaranteed or backed by the U.S. Government and its agencies.

EQUITABLE

The Equitable Life Assurance Society, based in New York, is the nation's third largest life insurance company. The firm is also a major factor in the pension field. Equitable currently manages in excess of \$35 billion in pension assets.

The following funds, available only for tax-favored programs, are recommended for the George Washington participants:

- Stock Fund is for those who are seeking a diversified common stock portfolio for long-term growth of capital and income.
- Balanced Fund is for investors who prefer to diversify their retirement assets through a variety of investment vehicles such as stocks, bonds and money market instruments.
- Bond Fund is for investors who seek interest income while having an opportunity for capital appreciation through investments in fixed income securities of varying maturities.
- Money Market Fund is for investors who prefer to concentrate primarily in short-term money market instruments in the hopes of obtaining a high rate of current return and preserving their principal.

For information purposes, descriptions of the funds offered by Fidelity and Frudential are included in the following section.

FIDELITY

Fidelity Management and Research Company, founded in 1946 and located in Boston, currently manages 25 mutual funds, covering a broad range of investment objectives. Fidelity now manages \$20 billion in assets for more than 1 million shareholders. Fifty thousand of these investors are institutional clients.

A brief description of the funds in this group follows:

FIXED INCOME

- Thrift Trust invests primarily in high and upper-medium grade fixed-income obligations yielding a high level of current income. The maturity range is shifted depending upon expectations for interest rates.
- Corporate Bond The primary objective of this fund is to seek high income from a broad range of fixed-income securities. The highest portion of the portfolio is usually invested in long-term corporate bonds.

High Income seeks the highest rate of income attainable from a carefully managed portfolio of lower rated, fixed-income securities.

EQUITY INCOME

Equity Income The objective of this fund is to achieve an "above-average" yield.i.e., a yield which is higher than the composite yield of the Standard & Poor's 500 Index. The secondary objective is capital appreciation.

Puritan The objective of this fund is to achieve current and growing income which equals or outpaces the rising cost of living. This emphasis on income does not preclude the possibility of growth in income.

GROWTH AND INCOME

Fidelity Fund has the objective of seeking long-term capital growth with reasonable current income from a diversified portfolio of superior quality, better known common stocks.

GROWTH

Contrafund seeks capital growth from a portfolio of common stocks, using an approach to investing referred to as the "Contrary Opinion" method.

Magellan has the objective of achieving capital appreciation primarily through investments in common stocks or securities convertible into common stocks.

Trend seeks capital appreciation through a portfolio of common stocks chosen after careful analysis of prevailing stock market trends.

Freedom seeks capital appreciation through an aggressively managed portfolio consisting primarily of common stocks.

Asset Invest. Trust aims to achieve capital appreciation through investments in securities of companies that possess valuable fixed assets or which are believed to be undervalued in relation to their assets, earnings or growth potential.

Select offers investors the opportunity to seek growth by investing in one or more portfolios consisting primarily of common stocks. Each portfolio will invest at least 80% in securities of companies principally engaged in the business activities having the specific characteristics denoted by each portfolio: Energy, Precious Metals, Technology, Health Care, Utilities and Financial Services.

MONEY MARKET

Cash Reserves seeks the highest yields available from short-term money market instruments, both foreign and domestic, when consistent with preservation of capital and liquidity.

U.S.Gov't Reserves The objective of this portfolio is high income as is consistent with security of principal and liquidity from a portfolio of all government money market securities.

PRUDENTIAL

Prudential was founded in 1875 and has grown to become a major multi-line financial service business, managing assets of over \$65 billion. Prudential manages over \$27 billion on behalf of more than 4300 group pension contract-holders. MEDLEY is Prudential's flexible new program for the investment and administration of a group tax-deferred annuity program (Section 403-b of the tax law).

The following funds are offered under the Medley program:

Fixed Dollar Account	This account provides a guarantee of principal and interest. Interest is credited daily at guaranteed rates from date of deposit to date of withdrawal. Current rate is 11 1/4%.
Common Stock	This account is invested primarily in common stocks.
Money Market	This portfolio is invested in short-term securities such as Treasury Bills, certificates of deposit and commercial paper.

Pertinent Points in the Investment Selection Process

FIDELITY

- *average annual expense ratios (some funds are higher than average)
- *favorable long-term investment records, especially Magellan
- *wide choice of investment alternatives
- *many opportunistic/speculative funds which might have to be excluded
- *marketing emphasis on knowledgeable/risk-oriented individual investor

VANGUARD

- *favorable expense ratios
- *wide choice of funds, including "outside" management
- *especially favorable long-term investment records
- *mutual ownership
- *compatible philosophy for retirement plans and experience with many university and college retirement plans

EQUITABLE

- *favorable expense ratios
- *deep, professional investment organization with defined approach
- *good long-term investment records

PRUDENTIAL

- *average expense ratios
- *lack of clearly defined investment approach
- *below-average long-range investment records

MUTUAL FUND PERFORMANCE AND RISK ANALYSIS
DESIGNATED FUNDS FOR INVESTMENT -- THE GEORGE WASHINGTON UNIVERSITY

INVESTMENT RESULTS (To 12/31/83)						FORBES MAGAZINE RATINGS		RISK ANALYSIS LIPPER ANALYTICAL		NO-LOAD
TYPE OF FUND	1983	3 YEARS	5 YEARS	10 YEARS	15 YEARS	UP	DOWN	CURRENT P/E	QUALITY RANKING	
THE VANGUARD GROUP										
FIXED INCOME										
F.I. GNMA	9.7%	†	†	†	†	†	†	†	†	yes
F.I. High Yield	15.7	60.4	†	†	†	†	†	†	†	yes
F.I. Inv. Grade	6.7	50.2	57.4	106.5	†	†	†	†	†	yes
F.I. Short Term	†	†	†	†	†	†	†	†	†	yes
BALANCED										
Wellington	23.4	58	120	181.8	194.5	B	F	10.8	8.9	yes
INCOME										
Wellesley Income	18.6	58.8	88.8	176.4	†	D	B	8.4	8.8	yes
GROWTH & INCOME										
Windsor	30.1	85.1	178.1	474.6	442.2	C	B	9.8	8.9	yes
Index Trust	21.3	39.1	116.4	†	†	†	†	15.3	8.7	yes
U.S. Portfolio (Batterymarch)	29.1	72.4	†	†	†	†	†	20.4	7.8	yes
GROWTH										
W.L. Morgan Growth 28	55.2	149.6	269.4	357.4	†	†	†	21.2	7.9	yes
SMALL COMPANY										
Explorer	20.3	72.8	259.2	419.2	281.5	A	B	34.1	4.9	yes
INTERNATIONAL										
Ivest	29.6	48.4	134.5	173.9	121.8	B	F	17.3	7.2	yes
EQUITABLE										
Bond	2.6	†	†	†	†	†	†	†	†	yes
Balanced	26.1	†	†	†	†	†	†	†	†	yes
Stock	34.2	†	†	†	†	†	†	†	†	yes
FOR COMPARISON										
S & P 500	22.6	41.7	112.8	175.4	203.9					
TIAA	12.5	39.2	54.9	123.3	176.8					
CREF	25.1	50.2	120.3	147.5	160.8					

Sources: Roy Schotland and Victor Prince of Georgetown, Computer Directions Advisors, Inc., Lipper Analytical Distributors, Inc.

MUTUAL FUND PERFORMANCE AND RISK ANALYSIS

INVESTMENT RESULTS (To 12/31/83)

FORBES MAGAZINE RATINGS

RISK ANALYSIS LIPPER ANALYTICAL NO-LOAD

TYPE OF FUND	1983	3 YEARS	5 YEARS	10 YEARS	15 YEARS	UP	DOWN	CURRENT P/E	QUALITY RANKING	
THE FIDELITY GROUP										
FIXED INCOME										
Corporate Bond	6.7	44.2	49.1	101.2	†	†	†	†	†	yes
Thrift Trust	9.4	52.7	†	†	†	†	†	†	†	yes
High Income	18.5	72.1	†	†	†	†	†	†	†	yes
EQUITY INCOME										
Puritan	25.7	79.6	147.9	297.9	314.2	D	A	10.9	8.1	yes
Equity Income	29.2	88.1	225.1	546.4	374.9	C	A	11.4	7.7	yes
GROWTH & INCOME										
Fidelity Fund	22.4	57.6	150.3	254.9	267.3	C	C	15.3	8	yes
GROWTH										
Contrafund	23.2	48.1	141.9	281.8	305.2	B	C	20.5	7.4	yes
Magellan	36.2	136.9	511.3	1224.7	847.1	A+	B	20.7	6.2	yes
Trend	26.6	37	117.8	158.8	113.6	B	F	18.1	7.7	yes
Freedom	†	†	†	†	†	†	†	†	†	yes
Asset Inv. Trust	32.1	72.2	191.7	†	†	†	†	18.9	7.2	yes
SPECIALTY SELECT										
Energy	20.3	†	†	†	†	†	†	17.7	8.1	yes
Financial Services	37.1	†	†	†	†	†	†	†	†	yes
Health	14.1	†	†	†	†	†	†	29.3	6.7	yes
Technology	52.4	†	†	†	†	†	†	43.5	5.9	yes
Precious Metals	2.9	†	†	†	†	†	†	16.3	3.7	yes
Utilities	20.1	†	†	†	†	†	†	†	†	yes
PRUDENTIAL INSURANCE										
Medley Common Stk	15.4	†	†	†	†	†	†	†	†	yes
Medley Money Mkt	8.4	†	†	†	†	†	†	†	†	yes
FOR COMPARISON										
S & P 500	22.6	41.7	112.8	175.4	203.9					
TIAA	12.5	39.2	54.9	123.3	176.8					
CREF	25.1	50.2	120.3	147.5	160.8					

Sources: Roy SchotLand and Victor Prince of Georgetown, Computer Directions Advisors, Inc., Lipper Analytical Distributors, Inc.

LIFE INSURANCE INVESTMENT PERFORMANCE ANALYSIS
(FOR PURPOSE OF COMPARISON ONLY)

INVESTMENT RESULTS (To 12/31/83)

FUND	1983	3 YEARS	5 YEARS	10 YEARS
------	------	------------	------------	-------------

EQUITABLE

COMMON STOCK 4	20.5	47.9	194.5	233.6
BALANCED 10	17.1	60.2	†	†
BOND 5	2.7	37.9	33.6	75.3

These funds are similar to those offered under the 403 (b) (7) plan by Equitable. The following funds have somewhat different objectives:

COMMON STOCK 1	17.5	31.1	122.6	148.6
COMMON STOCK 3	31.3	51.4	302.9	409.6
BOND 7	10.2	62.3	66.2	143.1

PRUDENTIAL

COMMON STOCK VCA 2	17.7	20.6	107.2	151.4
BOND VCA 7	8.5	48.6	52.3	†
PRIVEST	10.8	55.5	53.1	†

Privest is invested in private placements and is not representative of the funds offered under the 403 (b) (7) plan by Prudential.

FOR COMPARISON

S & P 500	22.6	41.7	112.8	175.4
TIAA	12.5	39.2	54.9	123.3
CREF	25.1	50.2	120.3	147.5

LEONARD W. JOHNSON

EXPERIENCE

1983-- Aegis Fund, Venture Capital, Boston
Special Limited Partner

1964-1983 David L. Babson & Co., Investment Counsel, Boston
Senior Vice President, Director, Executive Committee
Jones & Babson, Inc. (mutual fund affiliate)
Vice President & Director

1960-1964 Chemical Bank New York Trust Company, New York
Trust Investment Department

EDUCATION

1964 New York University, MBA with distinction
Major: Finance and Investments

1960 Cornell University, BA
Major: Government

AFFILIATIONS (CURRENT)

Chartered Financial Analyst 1968
Chartered Investment Counselor 1976
Nashoba Brooks School of Concord (MA)
Trustee and Treasurer
Grimes-King Foundation for the Elderly, Boston
Director and Treasurer
School Volunteers for Boston
Director and Chairman, Finance Committee
Phillips Exeter Academy, Exeter, N.H.
Class Agent, Class of 1956
Wellesley College
Parents Committee
Red Acre Farm, Inc., Stow, MA
Director, Executive Committee
Ayer Sales, Inc., Woburn, MA
Director

ADDRESS

432 Wild Harbor Road
P.O. Box 412
North Falmouth, MA 02556
617 563-6855

36 Beacon Street
P.O. Box 2535
Boston, MA 02208
617 367-6493

Born: Ithaca, N.Y. 1938

Married, three children

A RESOLUTION TO ESTABLISH A SPECIAL COMMITTEE TO CONDUCT A SELF-STUDY (84/9)

WHEREAS, President Elliott has asked the Commission for the Year 2000 and the University Research Committee to undertake comprehensive examinations of the University's present academic and research programs, and to recommend any new directions or emphasis needed to respond to the challenges and opportunities of the decades ahead; and

WHEREAS, it would be appropriate and timely for the Faculty Senate to engage in a similar self-examination and search for improved effectiveness in the decade to come; THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

- (1) That a Special Committee of the Faculty Senate be established, to consist of ~~five~~ a maximum of eight faculty members, to be ~~nominated by the Executive Committee for election~~ elected by the Senate, and
- (2) That this Special Committee be charged as follows:
 - (a) to study the nature and role of faculty participation in University governance;
 - (b) to review the activities of the Senate and its standing committees over the past 5-7 years, seeking out a wide range of views on the strengths and weaknesses of the contribution the Senate makes to the University's ability to carry out well its educational mission;
 - (c) to look ahead to the chief matters of probable concern in the next decade; and
 - (d) to report its findings to the Faculty Senate by October, 1985, along with any recommendations for such changes in structure, focus, or relationships with other bodies, as would strengthen the Senate's capability to contribute effectively to the University community in the years to come.

Executive Committee of the Faculty Senate
September 28, 1984

Adopted, as amended, 10/12/84

A RESOLUTION TO ESTABLISH AN ANNUAL HONORS CONVOCATION (84/10)

WHEREAS, The Public Ceremonies Committee of the Faculty Senate has drawn up and unanimously approved a proposal for an annual honors convocation to "promote excellence in education at The George Washington University by recognizing undergraduate students who have achieved academic distinction"; and

WHEREAS, The University does not currently have a ^{University-wide undergraduate} ceremony to honor students who have excelled in scholastic activity; THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

- (1) That the Faculty Senate endorse the proposal for an honors convocation ~~and encourage the President of the University, the Vice President for Academic Affairs, and the deans of the undergraduate schools and colleges of the University~~ for implementation by April, 1985.

Public Ceremonies Committee
October 12, 1984

Postponed 11/9/84 to the December 14, 1984, Senate meeting

Adopted, as amended, December 14, 1984

Proposal for the Creation of an Annual Honors Convocation

*Not part of
resolution - info
only*

An ad-hoc committee was appointed by the Public Ceremonies Committee in September of this year to prepare a substantive proposal for the establishment of an honors convocation at the University. The group met weekly over the past month and a half and took into consideration investigative work done by previous committees.

The ad-hoc committee, with the endorsement of the Public Ceremonies Committee, therefore proposes that an annual University Honors Convocation be established by the G.W. Administration beginning in the Spring semester of 1985 in accordance with the outline below.

PURPOSE: To promote excellence in education at The George Washington University by recognizing undergraduate students who have achieved academic distinction.

PARTICIPATION: All undergraduate, degree-granting schools and colleges of the University.

TIME AND LOCATION: A Saturday in early April, in Lisner Auditorium.

TYPES OF RECOGNITION:

1. Dean's List Recipients - students named to the Dean's lists the previous Fall or Spring semesters.
2. Outstanding Academic Achievement Citation - students, who have completed a minimum of 45 semester hours of credit at G.W.U. and are among the top 2% (Q.P.I.) in their class in each school, will receive a special certificate.
3. Distinguished Scholar Award - recognizes an undergraduate student, one from each of the five schools, who has distinguished himself through exemplary academic achievement and scholarship. The student will be nominated by the faculty of each school and will be given a special award at the convocation.

ORDER OF PROGRAM:

Musical Prelude
Academic Procession
Invocation
Welcome
Convocation Address (preferably a distinguished alumnus)
Conferring of an Honorary Degree (if appropriate)
Musical Presentation
Recognition of Achievement (categories above)
Remarks by the President of the University
Alma Mater, etc.

Reception to follow at the Marvin Center

A RESOLUTION TO CREATE A UNIVERSITY COMMITTEE ON PUBLIC CEREMONIES (84/11)

WHEREAS, In recent years, public ceremonies at the University have become so varied and complex that their success requires the orchestration of a number of campus offices; and

WHEREAS, The Committee on Public Ceremonies is responsible for the growing, logistical burdens of University events such as the Opening Convocation, the winter and spring graduation exercises, and possible new programs, all of which seem to go beyond the original Committee charge to formulate recommendations and general policy regarding honorary degree candidates and all ceremonial functions;
THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

- (1) That the existing Committee on Public Ceremonies of the Faculty Senate be renamed the Committee on Honors and Academic Convocations with the charge to formulate recommendations and general policy regarding honorary degree candidates and all ceremonial functions; and
- (2) That the Faculty Senate recommend that the President create a University Committee on Public Ceremonies to plan and execute the University's annual public events, to be effective Academic Year 1985-86.

Public Ceremonies Committee
October 12, 1984

Postponed 11/9/84 to the December 14, 1984, Senate meeting

Adopted December 14, 1984

A RESOLUTION TO AMEND THE FACULTY CODE WITH RESPECT TO GRADUAL RETIREMENT (84/12)

WHEREAS, in Resolution 84/3 the Faculty Senate approved a gradual retirement policy for full-time active status faculty members; and

WHEREAS, that Resolution further directed that appropriate language regarding the gradual retirement option be recommended for inclusion in the Faculty Code; THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

- (1) That, subject to the approval of the Board of Trustees, the following changes be made in the Faculty Code:

Section VII. Retirement (pp.13,14)

A. In the second sentence of the second paragraph:

Add "fully" between "is" and "retired"

Add new subsection "D" as follows:

Subject to programmatic needs,

D. /full-time tenured members of the faculty with ten years of continuous full-time service who are between the ages of 60 and 70 may elect to continue on a half-time or two-thirds-time regular active status basis to the mandatory retirement age. Benefits and conditions of this reduced service will be as specified in the Faculty Handbook at the time the election to retire is made.

Section VIII. Retirement Annuity (p.14)

Replace present paragraph with the following:

The University has entered into agreements with providers of retirement annuities and other retirement investments, which agreements are organized on a dual participation basis. Full-time and regular part-time (as defined in Faculty Handbook) members of the faculty and those continuing in reduced service under the provisions of Section VII.D. are eligible to participate.

- (2) That the following changes be recommended in the Faculty Handbook:

~~Current~~ page 34 - Benefits on Resignation or Retirement:

Insert "Full" following "or" in heading

(continued next page)

(2) (recommended changes in Faculty Handbook continued)

Current page 37:

Add new section (before last paragraph re: emeritus status):

Full-time members of the faculty who qualify under the provisions of Section VII.D. of the Faculty Code may retire partially by reducing their service to the University to either a two-thirds or a half-time basis. ~~The two-thirds basis is usually considered to include teaching four courses per year and proportionate research and other service, while the one-half basis is usually considered to include teaching three courses per year and proportionate research and other service. Other combinations of effort resulting in such reduced service must be approved by the department chairperson, cognizant dean, and the Vice President for Academic Affairs.~~ Either basis will in general include teaching, research, and other services proportionate to that considered normal for a full-time faculty member in the relevant department, school, college, or other programmatic division of the University.

The faculty member's salary shall be two-thirds or one-half of the normal full-time salary, and eligibility for annual salary increases shall continue.

All other benefits with the exception of the University's retirement contribution shall continue on the same basis as for full-time service. The University's contribution to the retirement plan will be continued on the same terms as for full-time faculty except that it will be based on the individual's actual salary.

Once a faculty member has elected to retire partially under the provisions of Section VII.D. of the Faculty Code, he/she may not increase the level of service thereafter. Correspondingly, the electing faculty member's salary, eligibility for salary increases, and other benefits may not be reduced. The faculty member may elect to retire fully at any appropriate time.

Committee on Appointment, Salary and
Promotion Policies (including Fringe Benefits)

November 30, 1984

Adopted, as amended, December 14, 1984

see following Res 84/13 adopted

A RESOLUTION RECOMMENDING CHANGES IN THE ACADEMIC CALENDAR (84/13)

- WHEREAS, The Faculty Senate has requested the Committee on Educational and Admissions Policy to study the academic calendar for possible changes, and
- WHEREAS, Answers to a questionnaire distributed to faculty, administrators, and students in Spring 1984 show substantial desire for some additional study time in the calendar, which underwent its last major adjustment in 1974, and
- WHEREAS, The George Washington University has fewer teaching days than many other major Washington Consortium universities, and
- WHEREAS, The study of several thousand institutions of higher learning show that the Early Semester has been and is the most widely used and rapidly growing calendar for such institutions in the United States, and
- WHEREAS, The Committee believes that the educational process at The George Washington University would be better served by a calendar with some extra time off from class for catch-up study and research, and
- WHEREAS, The quality of the educational program in proportion to student dollars expended becomes an increasing concern in a period when the numbers of young people in the college pool each year is declining, and
- WHEREAS, Faculty on academic year appointments are paid for nine months' service so that institution of calendar changes proposed below would not require additional compensation for faculty; therefore

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY:

That, beginning with Academic Year 1986-87, the Academic Calendar be changed so as generally to follow the sample calendar attached, which would:

- (a) establish 14-week semesters for Fall and Spring that would include 28 class meeting dates each semester for both Monday-Wednesday and Tuesday-Thursday classes; *^ with Summer Session schedule*
- (b) include the Wednesday before Thanksgiving as a University holiday; end the Fall Semester before the mid-winter (Christmas) break; and keep the interval between Fall and Spring Semesters at least as at present;
- (c) reduce the present reading period by only one day if necessary to add class dates to the calendar; and
- (d) *Substitute* ~~change the Summer Sessions to two 5-1/2 week periods of 28 class meeting dates each, but still allow departments to teach three-week sessions within the longer terms if they so desire and also provide time bands for longer class periods for "no-Fridays" summer classes if departments and instructors so desire.~~ *(d) - see Res. 84/13 adopted 1/18/85*

Committee on Educational and Admissions Policy
November 27, 1984

Postponed 12/14/84 to January 18, 1985, Senate meeting, with pending amendment

A RESOLUTION RECOMMENDING CHANGES IN THE ACADEMIC CALENDAR (84/13)

- WHEREAS, The Faculty Senate has requested the Committee on Educational and Admissions Policy to study the academic calendar for possible changes, and
- WHEREAS, Answers to a questionnaire distributed to faculty, administrators, and students in Spring 1984 show substantial desire for some additional study time in the calendar, which underwent its last major adjustment in 1974, and
- WHEREAS, The George Washington University has fewer teaching days than many other major Washington Consortium universities, and
- WHEREAS, The study of several thousand institutions of higher learning show that the Early Semester has been and is the most widely used and rapidly growing calendar for such institutions in the United States, and
- WHEREAS, The Committee believes that the educational process at The George Washington University would be better served by a calendar with some extra time off from class for catch-up study and research, and
- WHEREAS, The quality of the educational program in proportion to student dollars expended becomes an increasing concern in a period when the numbers of young people in the college pool each year is declining, and
- WHEREAS, Faculty on academic year appointments are paid for nine months' service so that institution of calendar changes proposed below would not require additional compensation for faculty; therefore

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY:

That, beginning with Academic Year 1986-87, the Academic Calendar be changed so as generally to follow the sample calendar attached, with Summer Sessions Schedule, which would:

- (a) establish 14-week semesters for Fall and Spring that would include 28 class meeting dates each semester for both Monday-Wednesday and Tuesday-Thursday classes;
- (b) include the Wednesday before Thanksgiving as a University holiday; end the Fall Semester before the mid-winter (Christmas) break; and keep the interval between Fall and Spring Semesters at least as at present;
- (c) reduce the present reading period by only one day if necessary to add class dates to the calendar; and
- (d) change the Summer Sessions to ten partially overlapping sessions in a twelve week period that would accommodate three 6-week sessions, four 3-week sessions, two 9-week sessions and one 12-week session, to include at least one week between the end of the spring semester and the beginning of the first summer session and between the end of the final summer session and the beginning of the fall semester. The ten sessions would be scheduled according to the attached general format.

Committee on Educational and Admissions Policy
November 27, 1984

Postponed 12/14/84 to January 18, 1985, Senate meeting, with pending amendment

Adopted, as amended, January 18, 1985

AUGUST

3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

1986-87

JANUARY

				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

A=Advise
R=Register
C=Class
/R=Reading
E= Exam
G=Grad-
uation
C=Class
to be on
Regular
Mon-Wed
Schedule

SEPTEMBER

	1	2	3	4	5	6
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14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

FEBRUARY

1	2	3	4	5	6	7
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15	16	17	18	19	20	21
22	23	24	25	26	27	28

OCTOBER

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12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

MARCH

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22	23	24	25	26	27	28
29	30	31				

NOVEMBER

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16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

APRIL

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19	20	21	22	23	24	25
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DECEMBER

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28	29	30	31			

MAY

					1	2
3	4	5	6	7	8	9
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17	18	19	20	21	22	23
24	25	26	27	28	29	30

*Faculty Senate amendment adopted 12/14/84
to cancel this day as an "Advising Day."

1986-87
Summer Sessions

<u>Session</u>	<u>Time Periods</u>
I. May(i)←3-wks→Jun(ii)	
II. May(i)←6 wks →Jun(iii)	
III. Jun(ii+)←3 wks →Jun(iii)	
IV. Jun(ii+)←6wks →Jul(iv)	
V. Jun(iii+)←3 wks →Jul(iv)	
VI. Jun(iii+)←6 wks →Aug(v)	
VII. Jul(iv+)←3 wks →Aug(v)	
VIII. May(i)←9 wks →Jul(iv)	
IX. Jun(ii+)←9 wks →Aug(v)	
X. May(i)←12 wks →Aug(v)	

Note: Lower case Roman numerals in parentheses refer to beginning and ending dates for each session. These dates of course change slightly from year to year. The plus sign after several of the lower case Roman numerals indicates that sessions III, IV, V, VI, VII, and VIII begin one or two days after the ending date of the previous sessions.

A RESOLUTION TO AMEND THE UNIVERSITY POLICY ON ACADEMIC DISHONESTY (84/14)

WHEREAS, the Joint Committee of Faculty and Students has been asked to make recommendations for amendments and changes to the Academic Dishonesty Policy; and

WHEREAS, the Joint Committee was asked in Spring, 1980, to review its proposal of April 1980; and

WHEREAS, the Joint Committee has approved the attached proposed Academic Dishonesty Policy after due and lengthy consideration; THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

That the Faculty Senate approve the proposed Academic Dishonesty Policy to replace the policy now in existence effective Academic Year 1986-87.

Joint Committee of Faculty and Students
January 23, 1985

Deferred, February 8, 1985, to the March 8, 1985, Senate meeting for discussion
and to the April 12, 1985, Senate meeting for final action

Deferred, April 12, 1985, to the May 3, 1985, Senate meeting

Deferred, May 3, 1985, to Spring 1986

Adopted, as amended, January 17, 1986

Approved by the Board 3/20/86

See also minute Book 85-86 - Res 84/14 w/ policy in back of Minute Book

THE FOLLOWING POLICY WAS ADOPTED, AS AMENDED, BY THE FACULTY SENATE, JANUARY 17, 1986, RESOLUTION 84/14. INCORPORATION OF THE AMENDMENTS IN THE TEXT IS SHOWN BELOW; UNDERLINING INDICATES NEW LANGUAGE.

THE GEORGE WASHINGTON UNIVERSITY

11/22/85

UNIVERSITY POLICY ON ACADEMIC DISHONESTY

INTRODUCTION

The University community in order to fulfill its purposes must encourage the pursuit of academic excellence in an environment which promotes honesty, integrity and fairness. All members of the community are expected to exhibit honesty and competence in their academic work and to share the responsibility to secure and respect general conditions conducive to an atmosphere of academic honesty.

It is the responsibility of University administrators to publicize appropriately the University Policy on Academic Dishonesty. Different schools and divisions may develop supplemental guidelines in conformity with this University policy and the Statement of Student Rights and Responsibilities, providing such guidelines are clearly publicized and made available to students and faculty.

It is the responsibility of department chairpersons to see that, if needed, supplemental guidelines for academic competence and honesty appropriate to their disciplines are developed and publicized.

Teachers of basic introductory courses, undergraduate and graduate, should recommend to students that they acquaint themselves with the University Policy on Academic Dishonesty. They must provide their students with a copy of any departmental guidelines developed to complement the Academic Dishonesty policy.

It is the responsibility of all students at the University to read and familiarize themselves with the University Policy on Academic Dishonesty. If the propriety of certain conduct in light of the University community's norm of academic honesty is in doubt, students must seek the advice of faculty.

Members of the academic community are presumed to be familiar with proper the University's academic procedures and held responsible for applying them. Deliberate failure to act in accordance with such procedures will be considered academic dishonesty. Failure to observe these procedures by reason of ignorance or inadvertence constitutes academic incompetence. A faculty member must decide whether to consider a student's noncompliance as an act of dishonesty or an act of incompetence. Although incompetence may be dealt with in the normal evaluative manner, acts of academic dishonesty must be treated with moral and intellectual offenses against the academic community and cannot be tolerated.

Students who feel aggrieved by the apparent inaction of faculty in matters of alleged academic dishonesty may appeal for action to the faculty member's department chairperson or dean.

THIS SECTION
MOVED FROM
PAGE 3 TO
THIS PAGE.

DEFINITION

Academic dishonesty is an act of fraud, which may include misrepresentation, deceit, falsification, or trickery of any kind which is done by the student with the purpose, intent or expectation of influencing a grade or other academic evaluation. Academic dishonesty also includes forgery of academic documents, intentionally impeding or damaging the academic work of others, or assisting other students in acts of dishonesty. It is unnecessary and impossible for this policy to anticipate and explicitly define every kind of academic dishonesty; common examples of academically dishonest behavior include:

1. Cheating - intentionally using or attempting to use unauthorized materials, information or study aids in any academic exercise; copying from another student's examination; submitting work prepared in advance for an in-class examination; representing material prepared by another as one's own work; violating rules governing administration of examinations.
2. Fabrication - intentional and unauthorized falsification or invention of any information or citation in an academic exercise.
3. Facilitating Academic Dishonesty - intentionally or knowingly helping or attempting to help another to commit an act of academic dishonesty.
4. Plagiarism - intentionally or knowingly representing the words or ideas of another as one's own in any academic exercise; failure to attribute direct quotation, paraphrase, or borrowed facts or information.

All members of the academic community have a responsibility to prevent acts of academic dishonesty or, when they have occurred, to note and act upon them and keep them from recurring. Further, aiding, abetting, conspiring with, or assisting any other person to perform any act of academic dishonesty when the person charged had reason to believe that academic dishonesty was involved may properly be considered academic dishonesty. A more detailed definition of various types of academic dishonesty, where such have been promulgated, can be obtained from the appropriate department or dean's office.

The remainder of this statement aims at informing faculty and students of their rights and responsibilities with respect to academic dishonesty. The procedures outlined below, including sanctions, apply to academic dishonesty only, and shall not apply to cases of academic incompetence.

SANCTIONS

When faculty members discover or have brought to their attention instances of apparent academic dishonesty, they must, upon consultation with their departmental chairpersons or equivalent, act to invoke against the alleged offender one or more of the following sanctions:

- a) Rejection of the work product, with the requirement that the student satisfactorily complete compensatory work. If no work product is involved, a written reprimand shall be issued. In either case, a record of this action shall be retained in the Dean's office until graduation, or for one year following the student's termination of enrollment.
- b) A zero for the work product.
- c) A grade of "F-Academic Dishonesty" for the course or other academic requirement, the notation "Academic Dishonesty" to be expunged upon graduation or two years following the student's termination of enrollment.
- d) A grade of "F-Academic Dishonesty" for the course or other academic requirement, with the notation remaining on the student's permanent record.
- e) Suspension from the University for a period not to exceed one year with a notation of "Academic Dishonesty" remaining on the student's permanent record.
- f) Expulsion of the student from the University with the notation "Academic Dishonesty" remaining on the student's permanent record.

The prior disciplinary record of a student ~~shall~~ may be considered in establishing the appropriate sanction to be imposed. It should not be a factor in the determination of guilt. A record of the academic dishonesty offense shall be kept in the office of the dean in the appropriate school or division.

THIS
SECTION
DELETED.

~~Failure of faculty to initiate action in cases of apparent academic dishonesty is considered dereliction of professional responsibility and is subject to actions or sanctions of the appropriate school or college.~~

INITIAL PROCEDURES

In all cases where a faculty member seeks to impose one or more of the aforementioned sanctions, he must consult with his or her department chair. The faculty member will then be responsible for presenting the student with a completed copy of the "Charge of Academic Dishonesty" form in which the nature of the charges as well as the proposed sanction are set forth. This must occur within two weeks of the time that the offense was brought to the faculty member's attention. Upon presentation of the charges the student will also be provided a copy of the current University Policy on Academic Dishonesty and the "Statement of Student Rights and Responsibilities." The student is entitled to hear the faculty member's evidence and to speak on his or her own behalf. Based on this meeting, should the faculty member be persuaded that the student is innocent, the charges shall be dropped and all records of the charges destroyed.

If the student agrees that the charge is accurate and that the sanction is appropriate, the fact of this agreement shall be noted by the signatures of both on the Charge form and the sanctions shall be imposed. A copy of the signed form shall be deposited with the dean.

INFORMAL HEARING

If the student believes that the charge is not accurate or that the sanction is not appropriate, the case shall be referred for an informal hearing before the dean, or a representative of the dean, of the school in which the alleged offense occurred. The dean's representative shall be a member of the faculty designated by the dean with the concurrence of the dean's council. Both the student and faculty member shall be present at this informal hearing. At this meeting, the student will again be informed of the charge and the evidence in the case and will be allowed to speak on his or her own behalf. The student may be accompanied by an advisor of his or her own choosing who may advise the student but shall not be permitted to speak on the student's behalf. Both parties may produce witnesses on their behalf and disagree with and/or question any witnesses appearing for the other party. The proceedings shall be tape-recorded in cases where the student may be subject to suspension, expulsion, or a permanent notation of academic dishonesty on his/her permanent record.

At the conclusion of the informal hearing, should the student be determined innocent by both the faculty member and the dean (or the dean's representative) the charge shall be dropped and all records of the case destroyed. Otherwise, within seven (7) days of the conclusion of the informal hearing the dean (or dean's representative) shall issue an opinion in writing setting forth his/her findings of fact, conclusion and the appropriate sanction. If the student and faculty member agree with the opinion, this shall be noted in writing to be filed in the dean's office and the sanction shall be imposed. If either the faculty member or the student disagrees with the opinion he or she must, within ten (10) days, file a written appeal with the Vice President for Academic Affairs requesting a review of the case by the Hearing Committee on Academic Dishonesty. The appeal must specify the points of disagreement and the remedy sought.

HEARING COMMITTEE

The Hearing Committee on Academic Dishonesty shall be composed of a non-voting chair, three faculty members (two of whom shall be from the school in which the alleged offense occurred and at least one of whom shall be from the school in which the charged student is enrolled) and, at the option of the accused student, two students enrolled in the school in which the offense occurred. The Vice President for Academic Affairs shall appoint the chair who shall constitute the Committee from a pool of faculty and students selected by the dean of each school. The Hearing Committee shall be convened within fifteen (15) days of the filing of an appeal.

The Hearing Committee will review the dean's (or the dean's representative's) opinion and all documentary evidence pertinent to the case. It may decide to dispose of the case on the basis of the evidence presented, or may decide to hear new testimony. In the latter instance, the student must be present and will be allowed to disagree with and/or question the testimony. The student may be accompanied by an adviser of his/her choosing who may advise the student but may not speak on the student's behalf. The Hearing Committee may open these proceedings at the request of the student. If the Hearing Committee determines by majority vote that the student is not guilty, all records pertaining to the case will be destroyed. In all other cases, the Hearing Committee shall prepare an opinion summarizing the results of its review, to include a determination of the sanction(s). The opinion of the Hearing Committee ~~shall be final, and~~ will be transmitted to the appropriate dean for the record, and to the student, and the sanction shall be imposed, and shall be final unless appealed to the Board of Trustees within fifteen (15) days.

BOARD OF TRUSTEES

NEW SECTION ADDED. If the student or faculty member believes that the charge(s) is/are not accurate or that the sanction(s) is/are not appropriate, the nonconcurring party may request review by the Board of Trustees through the Office of the Vice President for Academic Affairs.

SAFEGUARDS DURING PROCEDURE

The reliance upon evidence shall be determined by fundamental principles of fair play and not upon strict rules of evidence or procedure as are customarily applied in courts of law.

TIME LIMITS

NEW
SECTION
ADDED.

While it is not normally expected that the procedural steps set forth herein can and will be taken within the prescribed time limits, failure to do shall not constitute a violation where extenuating circumstances reasonably excuse the delay.

Should appeal procedures not be completed before the "due date" for the semester grades, the faculty member shall record the grade "I" for the student until the charges have been finally adjudicated. For other academic requirements (e.g. theses, comprehensive examinations, etc.), no sanctions shall go into effect until the completion of all appeals that are to be undertaken.

RECORDS OF PROCEEDINGS

The complete records of academic dishonesty proceedings shall be maintained with the student's academic record in the office of the dean of the school in which the student is enrolled. They should be retained in the dean's office until either the student's graduation, or for one or two years (as specified by the sanction) following the termination of the student's enrollment, whichever is first. Following that period, the written proceedings of cases in which any sanction has been recorded on the student's permanent record will be transmitted to the Office of the Registrar to be filed with the student's permanent record; in cases where no sanction has been recorded on the student's permanent record, the records of the proceedings will be destroyed. Written records of academic dishonesty proceedings retained by the University are available to appropriate University officials, prospective employers and other educational institutions, in accordance with university policy and federal regulations.

THE GEORGE WASHINGTON UNIVERSITY

CHARGE OF ACADEMIC DISHONESTY

DATE: _____

TO: _____
(name of student)

You are charged with _____
(type of academic dishonesty)

(if a work product is involved)

for the work product titled _____

date work was submitted _____

for the following class _____
(title of class--department and course number)

Sanction: _____

Witnesses (if any): _____

Attached to this complaint is: The George Washington University Policy on Academic Dishonesty, and the Statement of Student Rights and Responsibilities.

It is urged that you read and become familiar with these documents. If you wish clarification of the procedures for handling this charge, see your Dean.

Signed _____
(Professor)

A RESOLUTION IN SUPPORT OF THE DEVELOPMENT OF STRONGER PROGRAMS
IN WOMEN'S AND MEN'S INTERCOLLEGIATE ATHLETICS (84/15)

WHEREAS, the reports of the Athletic Directors set forth plans to achieve a level of excellence in intercollegiate athletics that is appropriate for this University; and

WHEREAS, the University should strive for excellence in all its undertakings; and

WHEREAS, achievement of the stated goals will require commitment of University resources over an extended period of time, as well as examination of present policies relating to athletics at The George Washington University; THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

- (1) That the Faculty Senate support strengthening the Women's and Men's Intercollegiate Athletic Programs; and
- (2) That, in order to achieve that goal, the Senate recommends, ~~consideration by the appropriate University Committees and Administrative Officers of the following recommendations:~~
insofar as is not inconsistent with other academic needs and goals of the University:
 - (a) ~~Expansion of~~ ^{Expanding} athletic facilities; specifically, additions to the Smith Center and ~~attainment of~~ ^{acquisition} outdoor playing fields;
 - (b) ~~Additions to~~ ^{Enlarging} the coaching staffs of Women's and Men's Athletics and increases in operating budgets;
 - (c) ~~Review and development of~~ ^{Expanding and coordinating} fund-raising activities by the athletic departments;
 - (d) ~~Review of~~ ^{Reviewing} procedures for the admission of athletically-gifted applicants; and
 - (e) Strengthening academic support programs for student-athletes.

Committee on Athletics
January 25, 1985

Deferred, February 8, 1985, to the April 12, 1985, Senate meeting with
pending amendment

Defeated, April 12, 1985

A RESOLUTION TO AMEND THE FACULTY CODE WITH RESPECT TO APPOINTMENTS (84/16)

WHEREAS, meticulous care in the standards and procedures for the selection of regular faculty is vital to maintenance of academic excellence in the University; and

WHEREAS, the Faculty Code does not presently contain a requirement that standards and procedures for appointments to the regular faculty be established and published; THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

That the following be inserted under Article IV. A. of the Faculty Code:

5. Criteria and Procedures for Appointments

Each school, college, or comparable educational division shall establish and publish criteria on which regular faculty appointments will be based. Additional criteria that may exist in the departments shall also be published. Each department or nondepartmentalized school or college shall establish and publish the procedures to be followed for recruitment, assembling all relevant information, and making recommendations for appointments to the regular faculty.

Appointment, Salary and Promotion Policies Committee
January 29, 1985

Adopted, as amended, March 8, 1985

A RESOLUTION PERTAINING TO TENURE-ACCRUING AND NON-TENURE-ACCRUING APPOINTMENTS (84/17)

WHEREAS, tenured status and the rights and duties associated with tenure are recognized throughout the academic community as incentives to excellence and dedicated service; and

WHEREAS, extensive ~~and long-term~~ use of non-tenure-accruing appointments for regular active status faculty adversely affects faculty morale, loyalty to the University, the enjoyment of academic freedom, and the ability of the University to attract first-rate candidates for appointments; and

WHEREAS, when there is a long-term need for the position in question and the University's interest in flexibility and fiscal soundness is otherwise protected, nothing is to be gained from withholding tenure-accruing status; and

WHEREAS, the Report of a Special Committee on Non-Tenure Accruing Faculty Members, dated April 18, 1983, recommends that appointments to the faculty should normally be in tenure tracks; and

WHEREAS, University policy provides for the exercise of rigorous standards and procedures in initial appointments, performance review, and the formulation and review of tenure recommendations; THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

- (1) that, in the future, appointments of regular active status faculty shall ordinarily be tenure-accruing in accordance with provisions in the Faculty Code, Articles I. and IV. except in the Medical Center and as follows:
 - A. Instructors, appointed for one-year terms not to exceed four years at that rank, when academic needs and the applicants' qualifications do not justify appointment at a higher rank and salary; and
 - B. Regular non-tenure-accruing appointments at the rank of Assistant Professor, Associate Professor, or Professor, for a ~~initial~~ ^{renewable} period not to exceed ~~three~~ ^{five} years, and a ~~total period not to exceed six years~~, for the purpose of staffing with full-time faculty in an area where the long-term academic needs of the University are uncertain;
- (2) ~~that, in the establishing and publishing of criteria on which the granting of tenure will be based, mandated in Resolution 82/9 adopted by the Senate April 13, 1984, each school, college or comparable educational division shall provide for the need to control the numbers of tenured faculty as a percentage of the total faculty within that administrative unit;~~
- (3) that faculty members with appointments which are not tenure-accruing shall receive with the initial offer of appointment a clear statement of the University's policies governing such appointments;
- (4) that a faculty member with appropriate credentials in a non-tenure-accruing position shall be eligible to apply for a tenure-accruing position, should one become available, subject to a new competitive search and evaluation. ~~and~~
- (5) ~~that faculty now in regular non-tenure-accruing positions shall be exempt from the limit of six years stated in (1)-B.-above.~~

Committee on Appointment, Salary, and Promotion Policies
and

Committee on Professional Ethics and Academic Freedom
March 13, 1985

Adopted, as amended, April 12, 1985

(SUBSTITUTE RESOLUTION)

A RESOLUTION TO DESIGNATE AN HISTORIC PRESIDENTS' HOUSE ON CAMPUS
(84/18)

WHEREAS, there exist upon the University Campus buildings of architectural merit and significance to the University's history; and

WHEREAS, the University at present stands in need of a central feature symbolizing its history and its place within the Federal city; and

WHEREAS, the University possesses a significant collection of furniture, art and other artifacts which form the core of an important collection of items relating to our history; and

WHEREAS, the identification of an historic building to house the collection would serve as a distinguished setting for University functions and, further, would serve to attract public interest and support for the collection and the building; and

WHEREAS, the Physical Facilities Committee has examined the feasibility of such a project and considered the suitability of various properties for this purpose;
THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

That the Senate calls upon the Administration to designate the Woodhull House for preservation and for development as a "Presidents' House" so that planning may commence in anticipation of the relocation of the activities presently housed there.

Physical Facilities Committee
April 16, 1985

Adopted May 3, 1985

(See substitute
preceding page)

A RESOLUTION TO DESIGNATE AN HISTORIC PRESIDENTS' HOUSE ON CAMPUS (84/18)

WHEREAS, there exist upon the University Campus buildings of historic and architectural merit; and

WHEREAS, the University at present stands in need of a central feature symbolizing its history and its place within the Federal city; and

WHEREAS, the University possesses a significant collection of furniture, art and other artifacts which form the core of an important collection of items relating to our history; and

WHEREAS, the identification of an historic building to house the collection would serve as a distinguished setting for University functions and, further, would serve to attract public interest and support for the collection and the building; and

WHEREAS, the Physical Facilities Committee has examined the feasibility of such a project and considered the suitability of various properties for this purpose; THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY :

That the Senate calls upon the Administration to designate the Woodhull House for preservation and for development as a "Presidents' House" at such time as the activities presently housed there can be relocated.

Physical Facilities Committee
March 22, 1985

Deferred, April 12, 1985, to the May 3, 1985, Senate meeting